## **EXHIBIT 6**

```
Page 1
 1
 2
                 UNITED STATES DISTRICT COURT
 3
                 SOUTHERN DISTRICT OF NEW YORK
 4
 5
      CORNELL HOLDEN and MIGUEL
                                  )
      MEJIA on behalf of
                                   )
 6
       themselves and all others
                                   )
       similarly situated,
                                   )
 7
                    Plaintiffs,
                                   )
 8
                                   )
                                        No.
                                   )
                 vs.
 9
                                        1:17 Civ. 02192
                                   )
       THE PORT AUTHORITY OF NEW
                                   )
10
      YORK AND NEW JERSEY, et
                                   )
       al.,
                                    )
11
                                   )
                    Defendants.
                                   )
12
13
14
15
16
                             October 5, 2018
17
                             10:18 a.m.
18
                 Deposition of JOHN TONE, held at the
19
20
           offices of Winston & Strawn LLP, 200 Park
21
           Avenue, New York, New York, before Laurie A.
22
           Collins, a Registered Professional Reporter
23
           and Notary Public of the State of New York.
24
25
```

	Page 2		Page 4
1		1	
2	APPEARANCES:	2	STIPULATIONS
3		3	IT IS HEREBY STIPULATED AND AGREED, by and
4	WINSTON & STRAWN LLP	4	among counsel for the respective parties hereto,
5	Attorneys for Plaintiffs	5	that the filing, sealing, and certification of the
6	1700 K Street, N.W.		within deposition shall be and the same are hereby
7	Washington, D.C. 20006-3817		waived;
8	BY: DANIEL R. McNEELY, ESQ.	8	IT IS FURTHER STIPULATED AND AGREED that all
9 10	dmcneely@winston.com		objections, except as to form of the question,
11	- and - WINSTON & STRAWN LLP		shall be reserved to the time of the trial;
12	200 Park Avenue	11	IT IS FURTHER STIPULATED AND AGREED that the
13	New York, New York 10166-4193		within deposition may be signed before any Notary  Public with the same force and effect as if signed
14	BY: CESIE C. ALVAREZ, ESQ.		and sworn to before the Court.
15	calvarez@winston.com	15	and sworn to before the Court.
16	- and -	16	
17	- AND -	17	
18	THE LEGAL AID SOCIETY	18	
19	199 Water Street	19	
20	New York, New York 10038	20	
21	BY: CYNTHIA CONTI-COOK, ESQ.	21	
22		22	
23		23	
24		24	
25		25	
	Page 3		Page 5
1		1	THE VIDEOCRAPHED Wiles and a second
	APPEARANCES (continued):	2	9 9
3		3	•
4	THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY	4 5	r
5	Attorneys for Defendants 150 Greenwich Street, 24th Floor	6	
6	New York, New York 10006	7	Please place all cell phones away from
8	BY: THOMAS R. BROPHY, ESQ.	8	
9	B1. IIIOWAS K. BKOTITI, ESQ.	9	
	ALSO PRESENT:	10	1
11	BENJAMIN RUTKIN-BECKER (Legal Aid Society)	11	
12	DEVERELL WRITE, Videographer	12	1 0 0
13	2 1	13	This is Media Unit 1 of the video-
14		14	recorded deposition of John Tone taken by
15		15	1
16		16	
17		17	3
18		18	
19		19	
20		20	,
21		21	
22		22	
23		23	, 1
24		24	
25		25	is Laurie Collins, from Veritext Legal

Page 18 Page 20 1 Tone 1 Tone 2 Then you graduated in what of 2014? 2 facility or do you -- in one patrol or do you 3 divide it up? 3 A. January of 2014. A. It would depend on what you were 4 Q. Okay. All right. Thank you. 4 5 While you were at the academy, were you 5 assigned for the day. 6 trained on how to conduct plainclothes policing in 6 Q. Okay. 7 7 the police academy? What are some of those assignments? 8 A. Just post assignments, what your area A. No. When you graduated from the police 9 of responsibility would be. Q. Would that be like the first floor, the 10 academy, what was your first position at The PAPD? 10 A. Police officer. 11 second floor, or is it more narrow than that? 12 It could be more narrow than that. Q. Is that still your position? 12 13 Q. Could you give me some examples? 13 A. Yes. 14 A. Yeah. It would be different floors in 14 Q. Since starting at The PAPD, have you 15 either the north wing or the south wing. In some 15 been employed there continuously? 16 instances they would be shared. A. Yes. 16 Q. When you started was there a primary 17 Q. Okay. 17 18 Do you ever go as limited as, say, like 18 location you were stationed at? 19 the entrance or the bathroom? A. Yes. 20 20 A. No. Q. And what was that? 21 Q. So you said there was not any specific 21 A. The Port Authority Bus Terminal. 22 Q. Are you still stationed there? 22 location you were primarily stationed at? 23 The only exception would be a security 23 A. A. Yes. 24 booth. 24 Q. Have you been stationed anywhere else 25 25 in the interim? Q. A security booth? Page 21 Page 19 1 Tone 1 Tone 2 2 A. Yeah, if you were in a security booth, A. No. 3 Q. So I'm going to ask you some questions 3 you would be in a fixed location. Q. Okay. 4 now that refer to the relevant time period. 4 5 5 That's generally January 1st, 2014, through August Have you been stationed at the bus 6 18th, 2017. So just realize that that's sort of 6 terminal for the entire time you've been with 7 PAPD? 7 the time scope we're going for these questions. 8 MR. BROPHY: I'm sorry, can you repeat 8 A. Yes. 9 9 that? Q. So you've never worked at, like, JFK or 10 MR. McNEELY: I'm couching the next set 10 World Trade Center or any of those places? 11 of questions as being limited to the time 11 A. Yes, I have, yes. 12 period of January 1st, 2014, through August 12 O. Okay. 13 13 How long? Just --18th, 2017. 14 A. Maybe a couple hours, you know, they Q. And I believe you said you were an 14 15 officer that entire time already. That's correct? 15 send us to another command or... 16 Q. Never like for a period of days or 16 17 Q. During that time was there a particular 17 weeks? 18 patrol you regularly worked? 18 A. No. Q. I'm not sure I got the answer to this. 19 A. No. 19 20 So was there a location that you were primarily 20 Q. Where did you typically patrol or where 21 all did you patrol? 21 stationed at within The PABT? A. We would patrol the facility of the bus 22 MR. BROPHY: Note my objection. 23 23 terminal. You can answer. 24 Q. Okay. 24 A. Within the confines of The Port 25 Authority Bus Terminal. 25 And does that involve like the entire

Page 94	Page 96
1 Tone	1 Tone
2 MR. BROPHY: Objection.	2 assignments to patrol the restrooms increase or
3 Go ahead.	3 decrease after the relevant time period? Like
4 A. It would be, you know, the act of	4 2017 to present, have they increased or gone down?
5 possibly an arm moving or two individuals looking	5 MR. BROPHY: Note my objection.
6 at each other, acting in a strange manner, and	6 You can answer.
7 then from there you would observe the act.	7 A. No.
8 Q. Okay.	8 Q. No? They've stayed about the same?
9 A. Yes.	9 A. Yes.
10 Q. So you would still need to observe it	10 Q. Thinking back to like October 7th,
11 to make the arrest even	11 2014, did your assignments to patrol the restrooms
12 A. Yes.	12 change after that date?
13 Q if you have suspicion.	13 A. On a specific date?
And these urinals have partitions;	14 Q. Or around October 2014.
15 correct?	15 A. Not to my recollection.
16 A. Yes.	16 Q. What about, say, March of 2017?
17 Q. And you've said you have never looked	17 A. Not to my recollection, no.
18 over or around well, I said I think you said	18 Q. Have the amount of public lewdness
19 you didn't look over. Have you ever looked around	19 arrests that you've made in the restrooms
20 a urinal partition?	20 increased or decreased after 2014?
21 A. Define "around."	21 A. That I don't know.
22 Q. Lean back, look around, try to see	22 Q. Say after 2017?
23 what's going on next to you.	23 A. I don't have the stats. They're not
24 MR. BROPHY: Note my objection.	24 given to us.
25 Go ahead.	25 Q. Do you need a break?
Page 95	Page 97
1 Tone	1 Tone
2 A. No.	2 A. We can take a break.
3 Q. How close do you have to get to someone	3 MR. McNEELY: Let's take about a
3 Q. How close do you have to get to someone 4 before you can tell if they're masturbating?	3 MR. McNEELY: Let's take about a 4 15-minute break. We'll go off the record.
<ul> <li>3 Q. How close do you have to get to someone</li> <li>4 before you can tell if they're masturbating?</li> <li>5 MR. BROPHY: Objection.</li> </ul>	3 MR. McNEELY: Let's take about a 4 15-minute break. We'll go off the record. 5 THE VIDEOGRAPHER: The time on the
<ul> <li>3 Q. How close do you have to get to someone</li> <li>4 before you can tell if they're masturbating?</li> <li>5 MR. BROPHY: Objection.</li> <li>6 You can answer.</li> </ul>	3 MR. McNEELY: Let's take about a 4 15-minute break. We'll go off the record. 5 THE VIDEOGRAPHER: The time on the 6 video monitor is 11:38 p.m. We're off the
<ul> <li>Q. How close do you have to get to someone</li> <li>before you can tell if they're masturbating?</li> <li>MR. BROPHY: Objection.</li> <li>You can answer.</li> <li>A. Whatever distance allows you to see the</li> </ul>	3 MR. McNEELY: Let's take about a 4 15-minute break. We'll go off the record. 5 THE VIDEOGRAPHER: The time on the 6 video monitor is 11:38 p.m. We're off the 7 record. This ends Media 1.
<ul> <li>Q. How close do you have to get to someone</li> <li>before you can tell if they're masturbating?</li> <li>MR. BROPHY: Objection.</li> <li>You can answer.</li> <li>A. Whatever distance allows you to see the</li> <li>act occurring.</li> </ul>	3 MR. McNEELY: Let's take about a 4 15-minute break. We'll go off the record. 5 THE VIDEOGRAPHER: The time on the 6 video monitor is 11:38 p.m. We're off the 7 record. This ends Media 1. 8 (Recess taken from 11:38 to 11:50.)
<ul> <li>Q. How close do you have to get to someone</li> <li>before you can tell if they're masturbating?</li> <li>MR. BROPHY: Objection.</li> <li>You can answer.</li> <li>A. Whatever distance allows you to see the</li> <li>act occurring.</li> <li>Q. Is that 5 feet?</li> </ul>	MR. McNEELY: Let's take about a  15-minute break. We'll go off the record.  THE VIDEOGRAPHER: The time on the  video monitor is 11:38 p.m. We're off the  record. This ends Media 1.  (Recess taken from 11:38 to 11:50.)  THE VIDEOGRAPHER: We are back on the
3 Q. How close do you have to get to someone 4 before you can tell if they're masturbating? 5 MR. BROPHY: Objection. 6 You can answer. 7 A. Whatever distance allows you to see the 8 act occurring. 9 Q. Is that 5 feet? 10 MR. BROPHY: Objection.	MR. McNEELY: Let's take about a  15-minute break. We'll go off the record.  THE VIDEOGRAPHER: The time on the  video monitor is 11:38 p.m. We're off the  record. This ends Media 1.  (Recess taken from 11:38 to 11:50.)  THE VIDEOGRAPHER: We are back on the  record. The time on the video monitor is
3 Q. How close do you have to get to someone 4 before you can tell if they're masturbating? 5 MR. BROPHY: Objection. 6 You can answer. 7 A. Whatever distance allows you to see the 8 act occurring. 9 Q. Is that 5 feet? 10 MR. BROPHY: Objection. 11 Go ahead.	MR. McNEELY: Let's take about a  15-minute break. We'll go off the record.  THE VIDEOGRAPHER: The time on the  video monitor is 11:38 p.m. We're off the  record. This ends Media 1.  (Recess taken from 11:38 to 11:50.)  THE VIDEOGRAPHER: We are back on the  record. The time on the video monitor is  11:50 a.m. This starts Media 2.
3 Q. How close do you have to get to someone 4 before you can tell if they're masturbating? 5 MR. BROPHY: Objection. 6 You can answer. 7 A. Whatever distance allows you to see the 8 act occurring. 9 Q. Is that 5 feet? 10 MR. BROPHY: Objection. 11 Go ahead. 12 A. I've never measured, never taken a	MR. McNEELY: Let's take about a  15-minute break. We'll go off the record.  THE VIDEOGRAPHER: The time on the  video monitor is 11:38 p.m. We're off the  record. This ends Media 1.  (Recess taken from 11:38 to 11:50.)  THE VIDEOGRAPHER: We are back on the  record. The time on the video monitor is  11:50 a.m. This starts Media 2.  Q. All right.
3 Q. How close do you have to get to someone 4 before you can tell if they're masturbating? 5 MR. BROPHY: Objection. 6 You can answer. 7 A. Whatever distance allows you to see the 8 act occurring. 9 Q. Is that 5 feet? 10 MR. BROPHY: Objection. 11 Go ahead. 12 A. I've never measured, never taken a 13 measurement.	MR. McNEELY: Let's take about a  15-minute break. We'll go off the record.  THE VIDEOGRAPHER: The time on the  video monitor is 11:38 p.m. We're off the  record. This ends Media 1.  (Recess taken from 11:38 to 11:50.)  THE VIDEOGRAPHER: We are back on the  record. The time on the video monitor is  11 11:50 a.m. This starts Media 2.  Q. All right.  Mr. Tone, or Officer Tone, whichever
3 Q. How close do you have to get to someone 4 before you can tell if they're masturbating? 5 MR. BROPHY: Objection. 6 You can answer. 7 A. Whatever distance allows you to see the 8 act occurring. 9 Q. Is that 5 feet? 10 MR. BROPHY: Objection. 11 Go ahead. 12 A. I've never measured, never taken a 13 measurement. 14 Q. Can you tell from across the room or do	MR. McNEELY: Let's take about a  15-minute break. We'll go off the record.  THE VIDEOGRAPHER: The time on the  video monitor is 11:38 p.m. We're off the  record. This ends Media 1.  (Recess taken from 11:38 to 11:50.)  THE VIDEOGRAPHER: We are back on the  record. The time on the video monitor is  11 11:50 a.m. This starts Media 2.  Q. All right.  Mr. Tone, or Officer Tone, whichever  you prefer, when patrolling The Port Authority Bus
3 Q. How close do you have to get to someone 4 before you can tell if they're masturbating? 5 MR. BROPHY: Objection. 6 You can answer. 7 A. Whatever distance allows you to see the 8 act occurring. 9 Q. Is that 5 feet? 10 MR. BROPHY: Objection. 11 Go ahead. 12 A. I've never measured, never taken a 13 measurement. 14 Q. Can you tell from across the room or do 15 you have to be pretty close?	MR. McNEELY: Let's take about a  15-minute break. We'll go off the record.  THE VIDEOGRAPHER: The time on the  video monitor is 11:38 p.m. We're off the  record. This ends Media 1.  (Recess taken from 11:38 to 11:50.)  THE VIDEOGRAPHER: We are back on the  record. The time on the video monitor is  11 11:50 a.m. This starts Media 2.  Q. All right.  Mr. Tone, or Officer Tone, whichever  you prefer, when patrolling The Port Authority Bus  Terminal restrooms for public lewdness during the
3 Q. How close do you have to get to someone 4 before you can tell if they're masturbating? 5 MR. BROPHY: Objection. 6 You can answer. 7 A. Whatever distance allows you to see the 8 act occurring. 9 Q. Is that 5 feet? 10 MR. BROPHY: Objection. 11 Go ahead. 12 A. I've never measured, never taken a 13 measurement. 14 Q. Can you tell from across the room or do 15 you have to be pretty close? 16 A. At times you can see it from across the	MR. McNEELY: Let's take about a  15-minute break. We'll go off the record.  THE VIDEOGRAPHER: The time on the  video monitor is 11:38 p.m. We're off the  record. This ends Media 1.  (Recess taken from 11:38 to 11:50.)  THE VIDEOGRAPHER: We are back on the  record. The time on the video monitor is  11 11:50 a.m. This starts Media 2.  Q. All right.  Mr. Tone, or Officer Tone, whichever  you prefer, when patrolling The Port Authority Bus  Terminal restrooms for public lewdness during the  relevant time period, 2014 to 2017, you said you
3 Q. How close do you have to get to someone 4 before you can tell if they're masturbating? 5 MR. BROPHY: Objection. 6 You can answer. 7 A. Whatever distance allows you to see the 8 act occurring. 9 Q. Is that 5 feet? 10 MR. BROPHY: Objection. 11 Go ahead. 12 A. I've never measured, never taken a 13 measurement. 14 Q. Can you tell from across the room or do 15 you have to be pretty close? 16 A. At times you can see it from across the 17 room.	MR. McNEELY: Let's take about a  15-minute break. We'll go off the record.  THE VIDEOGRAPHER: The time on the  video monitor is 11:38 p.m. We're off the  record. This ends Media 1.  (Recess taken from 11:38 to 11:50.)  THE VIDEOGRAPHER: We are back on the  record. The time on the video monitor is  11 11:50 a.m. This starts Media 2.  Q. All right.  Mr. Tone, or Officer Tone, whichever  you prefer, when patrolling The Port Authority Bus  Terminal restrooms for public lewdness during the  relevant time period, 2014 to 2017, you said you  were in plainclothes.
3 Q. How close do you have to get to someone 4 before you can tell if they're masturbating? 5 MR. BROPHY: Objection. 6 You can answer. 7 A. Whatever distance allows you to see the 8 act occurring. 9 Q. Is that 5 feet? 10 MR. BROPHY: Objection. 11 Go ahead. 12 A. I've never measured, never taken a 13 measurement. 14 Q. Can you tell from across the room or do 15 you have to be pretty close? 16 A. At times you can see it from across the 17 room. 18 Q. If they're standing far enough back?	MR. McNEELY: Let's take about a  15-minute break. We'll go off the record.  THE VIDEOGRAPHER: The time on the  video monitor is 11:38 p.m. We're off the  record. This ends Media 1.  (Recess taken from 11:38 to 11:50.)  THE VIDEOGRAPHER: We are back on the  record. The time on the video monitor is  11 11:50 a.m. This starts Media 2.  Q. All right.  Mr. Tone, or Officer Tone, whichever  you prefer, when patrolling The Port Authority Bus  Terminal restrooms for public lewdness during the  relevant time period, 2014 to 2017, you said you  were in plainclothes.  MR. BROPHY: Note my objection.
3 Q. How close do you have to get to someone 4 before you can tell if they're masturbating? 5 MR. BROPHY: Objection. 6 You can answer. 7 A. Whatever distance allows you to see the 8 act occurring. 9 Q. Is that 5 feet? 10 MR. BROPHY: Objection. 11 Go ahead. 12 A. I've never measured, never taken a 13 measurement. 14 Q. Can you tell from across the room or do 15 you have to be pretty close? 16 A. At times you can see it from across the 17 room. 18 Q. If they're standing far enough back? 19 A. Yeah, in	MR. McNEELY: Let's take about a  15-minute break. We'll go off the record.  THE VIDEOGRAPHER: The time on the  video monitor is 11:38 p.m. We're off the  record. This ends Media 1.  (Recess taken from 11:38 to 11:50.)  THE VIDEOGRAPHER: We are back on the  record. The time on the video monitor is  11 11:50 a.m. This starts Media 2.  Q. All right.  Mr. Tone, or Officer Tone, whichever  you prefer, when patrolling The Port Authority Bus  Terminal restrooms for public lewdness during the  relevant time period, 2014 to 2017, you said you  were in plainclothes.  MR. BROPHY: Note my objection.
3 Q. How close do you have to get to someone 4 before you can tell if they're masturbating? 5 MR. BROPHY: Objection. 6 You can answer. 7 A. Whatever distance allows you to see the 8 act occurring. 9 Q. Is that 5 feet? 10 MR. BROPHY: Objection. 11 Go ahead. 12 A. I've never measured, never taken a 13 measurement. 14 Q. Can you tell from across the room or do 15 you have to be pretty close? 16 A. At times you can see it from across the 17 room. 18 Q. If they're standing far enough back? 19 A. Yeah, in 20 Q. Or in the middle of the room?	MR. McNEELY: Let's take about a  15-minute break. We'll go off the record.  THE VIDEOGRAPHER: The time on the  video monitor is 11:38 p.m. We're off the  record. This ends Media 1.  (Recess taken from 11:38 to 11:50.)  THE VIDEOGRAPHER: We are back on the  record. The time on the video monitor is  11 11:50 a.m. This starts Media 2.  Q. All right.  Mr. Tone, or Officer Tone, whichever  you prefer, when patrolling The Port Authority Bus  Terminal restrooms for public lewdness during the  relevant time period, 2014 to 2017, you said you  were in plainclothes.  MR. BROPHY: Note my objection.  You can answer.  Q. At least at one point in time.
3 Q. How close do you have to get to someone 4 before you can tell if they're masturbating? 5 MR. BROPHY: Objection. 6 You can answer. 7 A. Whatever distance allows you to see the 8 act occurring. 9 Q. Is that 5 feet? 10 MR. BROPHY: Objection. 11 Go ahead. 12 A. I've never measured, never taken a 13 measurement. 14 Q. Can you tell from across the room or do 15 you have to be pretty close? 16 A. At times you can see it from across the 17 room. 18 Q. If they're standing far enough back? 19 A. Yeah, in 20 Q. Or in the middle of the room? 21 MR. BROPHY: Go ahead. I'm sorry.	MR. McNEELY: Let's take about a  15-minute break. We'll go off the record.  THE VIDEOGRAPHER: The time on the  video monitor is 11:38 p.m. We're off the  record. This ends Media 1.  (Recess taken from 11:38 to 11:50.)  THE VIDEOGRAPHER: We are back on the  record. The time on the video monitor is  11 11:50 a.m. This starts Media 2.  Q. All right.  Mr. Tone, or Officer Tone, whichever  you prefer, when patrolling The Port Authority Bus  Terminal restrooms for public lewdness during the  relevant time period, 2014 to 2017, you said you  were in plainclothes.  MR. BROPHY: Note my objection.  You can answer.  Q. At least at one point in time.  MR. BROPHY: Note my objection.
3 Q. How close do you have to get to someone 4 before you can tell if they're masturbating? 5 MR. BROPHY: Objection. 6 You can answer. 7 A. Whatever distance allows you to see the 8 act occurring. 9 Q. Is that 5 feet? 10 MR. BROPHY: Objection. 11 Go ahead. 12 A. I've never measured, never taken a 13 measurement. 14 Q. Can you tell from across the room or do 15 you have to be pretty close? 16 A. At times you can see it from across the 17 room. 18 Q. If they're standing far enough back? 19 A. Yeah, in 20 Q. Or in the middle of the room? 21 MR. BROPHY: Go ahead. I'm sorry. 22 A. As I stated, sometimes they're in the	MR. McNEELY: Let's take about a  15-minute break. We'll go off the record.  THE VIDEOGRAPHER: The time on the  video monitor is 11:38 p.m. We're off the  record. This ends Media 1.  (Recess taken from 11:38 to 11:50.)  THE VIDEOGRAPHER: We are back on the  record. The time on the video monitor is  11 11:50 a.m. This starts Media 2.  Q. All right.  Mr. Tone, or Officer Tone, whichever  you prefer, when patrolling The Port Authority Bus  Terminal restrooms for public lewdness during the  relevant time period, 2014 to 2017, you said you  were in plainclothes.  MR. BROPHY: Note my objection.  You can answer.  Q. At least at one point in time.  MR. BROPHY: Note my objection.  Go ahead.
3 Q. How close do you have to get to someone 4 before you can tell if they're masturbating? 5 MR. BROPHY: Objection. 6 You can answer. 7 A. Whatever distance allows you to see the 8 act occurring. 9 Q. Is that 5 feet? 10 MR. BROPHY: Objection. 11 Go ahead. 12 A. I've never measured, never taken a 13 measurement. 14 Q. Can you tell from across the room or do 15 you have to be pretty close? 16 A. At times you can see it from across the 17 room. 18 Q. If they're standing far enough back? 19 A. Yeah, in 20 Q. Or in the middle of the room? 21 MR. BROPHY: Go ahead. I'm sorry. 22 A. As I stated, sometimes they're in the 23 middle of the bathroom.	MR. McNEELY: Let's take about a  15-minute break. We'll go off the record.  THE VIDEOGRAPHER: The time on the  video monitor is 11:38 p.m. We're off the  record. This ends Media 1.  (Recess taken from 11:38 to 11:50.)  THE VIDEOGRAPHER: We are back on the  record. The time on the video monitor is  11 11:50 a.m. This starts Media 2.  Q. All right.  Mr. Tone, or Officer Tone, whichever  you prefer, when patrolling The Port Authority Bus  Terminal restrooms for public lewdness during the  relevant time period, 2014 to 2017, you said you  were in plainclothes.  MR. BROPHY: Note my objection.  You can answer.  Q. At least at one point in time.  MR. BROPHY: Note my objection.  Go ahead.  A. Yes.
3 Q. How close do you have to get to someone 4 before you can tell if they're masturbating? 5 MR. BROPHY: Objection. 6 You can answer. 7 A. Whatever distance allows you to see the 8 act occurring. 9 Q. Is that 5 feet? 10 MR. BROPHY: Objection. 11 Go ahead. 12 A. I've never measured, never taken a 13 measurement. 14 Q. Can you tell from across the room or do 15 you have to be pretty close? 16 A. At times you can see it from across the 17 room. 18 Q. If they're standing far enough back? 19 A. Yeah, in 20 Q. Or in the middle of the room? 21 MR. BROPHY: Go ahead. I'm sorry. 22 A. As I stated, sometimes they're in the	MR. McNEELY: Let's take about a  15-minute break. We'll go off the record.  THE VIDEOGRAPHER: The time on the  video monitor is 11:38 p.m. We're off the  record. This ends Media 1.  (Recess taken from 11:38 to 11:50.)  THE VIDEOGRAPHER: We are back on the  record. The time on the video monitor is  11 11:50 a.m. This starts Media 2.  Q. All right.  Mr. Tone, or Officer Tone, whichever  you prefer, when patrolling The Port Authority Bus  Terminal restrooms for public lewdness during the  relevant time period, 2014 to 2017, you said you  were in plainclothes.  MR. BROPHY: Note my objection.  You can answer.  Q. At least at one point in time.  MR. BROPHY: Note my objection.  Go ahead.

	Page 98		Page 100
1	Tone	1	Tone
2	You can answer.	2	Q. Okay.
3	A. It was the post assigned to me at roll	3	Never been given any indication as to
4	call.	4	why you're assigned that?
5	Q. Do you know why they assign	5	A. No.
6	plainclothes patrols, your supervisors?	6	Q. Okay.
7	MR. BROPHY: Objection.	7	Why was it do you think do you
8	Go ahead.		know why it was necessary for you to conceal that
9	A. No.	9	you're an officer?
10	Q. Is there any way when you're patrolling	10	MR. BROPHY: Note my objection.
	in plainclothes for individuals using the restroom	11	You can answer.
	to know you're an officer?	12	A. Because some crimes don't happen when
13	MR. BROPHY: Note my objection.	13	you're walking around in uniform.
14	You can answer.	14	Q. Okay. And which are those?
15	A. No.	15	A. Could be any number of things. It
16	Q. And did you wear plainclothes	16	could be drug sales, thefts, robberies.
	intentionally so no one would know you were an	17	Q. Is public lewdness one of those crimes?
	officer?	18	A. Public lewdness is a crime, yes.
19	MR. BROPHY: Objection.	19	Q. No, is that one of the crimes that
20	You can answer.		11
21	A. It was the post that was assigned to	21	MR. BROPHY: Objection.
1	me.	22	You can answer.
23	Q. And you had no idea why they assigned	23	A. It does happen in uniform as well.
	that post?	24	Q. Okay. So I think you said some crimes
25	A. No.	25	don't happen when you're walking around in
	Page 99		Page 101
1	Tone	1	Tone
2	Tone Q. No one's ever communicated the purpose		Tone uniform. So if the goal at The Port Authority is
2 3	Tone Q. No one's ever communicated the purpose of a plainclothes post?	3	Tone uniform. So if the goal at The Port Authority is to prevent and deter crime, shouldn't you always
2 3 4	Tone Q. No one's ever communicated the purpose of a plainclothes post? A. It's picked at roll call by the	3 4	Tone uniform. So if the goal at The Port Authority is to prevent and deter crime, shouldn't you always be in uniform?
2 3 4 5	Tone Q. No one's ever communicated the purpose of a plainclothes post? A. It's picked at roll call by the supervisors, and we're instructed what to do.	3 4 5	Tone uniform. So if the goal at The Port Authority is to prevent and deter crime, shouldn't you always be in uniform? MR. BROPHY: Note my objection.
2 3 4 5 6	Tone Q. No one's ever communicated the purpose of a plainclothes post? A. It's picked at roll call by the supervisors, and we're instructed what to do. Q. Do you have any suspicions as to why	3 4 5 6	Tone uniform. So if the goal at The Port Authority is to prevent and deter crime, shouldn't you always be in uniform? MR. BROPHY: Note my objection. You can answer.
2 3 4 5 6 7	Tone Q. No one's ever communicated the purpose of a plainclothes post? A. It's picked at roll call by the supervisors, and we're instructed what to do. Q. Do you have any suspicions as to why they assign you to patrol in plainclothes?	3 4 5 6 7	Tone uniform. So if the goal at The Port Authority is to prevent and deter crime, shouldn't you always be in uniform?  MR. BROPHY: Note my objection. You can answer. A. That's not my decision.
2 3 4 5 6 7 8	Tone Q. No one's ever communicated the purpose of a plainclothes post? A. It's picked at roll call by the supervisors, and we're instructed what to do. Q. Do you have any suspicions as to why they assign you to patrol in plainclothes? MR. BROPHY: Note my objection.	3 4 5 6 7 8	Tone uniform. So if the goal at The Port Authority is to prevent and deter crime, shouldn't you always be in uniform?  MR. BROPHY: Note my objection. You can answer. A. That's not my decision. Q. Okay.
2 3 4 5 6 7 8 9	Tone Q. No one's ever communicated the purpose of a plainclothes post? A. It's picked at roll call by the supervisors, and we're instructed what to do. Q. Do you have any suspicions as to why they assign you to patrol in plainclothes? MR. BROPHY: Note my objection. You can answer.	3 4 5 6 7 8 9	Tone uniform. So if the goal at The Port Authority is to prevent and deter crime, shouldn't you always be in uniform?  MR. BROPHY: Note my objection. You can answer. A. That's not my decision. Q. Okay. Who assigns you to patrol in
2 3 4 5 6 7 8 9 10	Tone Q. No one's ever communicated the purpose of a plainclothes post? A. It's picked at roll call by the supervisors, and we're instructed what to do. Q. Do you have any suspicions as to why they assign you to patrol in plainclothes? MR. BROPHY: Note my objection. You can answer. A. Suspicions? No.	3 4 5 6 7 8 9	Tone uniform. So if the goal at The Port Authority is to prevent and deter crime, shouldn't you always be in uniform?  MR. BROPHY: Note my objection.  You can answer.  A. That's not my decision. Q. Okay.  Who assigns you to patrol in plainclothes?
2 3 4 5 6 7 8 9 10	Tone Q. No one's ever communicated the purpose of a plainclothes post? A. It's picked at roll call by the supervisors, and we're instructed what to do. Q. Do you have any suspicions as to why they assign you to patrol in plainclothes? MR. BROPHY: Note my objection. You can answer. A. Suspicions? No. Q. Like do you have any beliefs as to why	3 4 5 6 7 8 9 10 11	Tone uniform. So if the goal at The Port Authority is to prevent and deter crime, shouldn't you always be in uniform?  MR. BROPHY: Note my objection. You can answer. A. That's not my decision. Q. Okay. Who assigns you to patrol in plainclothes? A. As I stated before, it would either be
2 3 4 5 6 7 8 9 10 11 12	Tone Q. No one's ever communicated the purpose of a plainclothes post? A. It's picked at roll call by the supervisors, and we're instructed what to do. Q. Do you have any suspicions as to why they assign you to patrol in plainclothes? MR. BROPHY: Note my objection. You can answer. A. Suspicions? No. Q. Like do you have any beliefs as to why you're assigned to patrol in plainclothes?	3 4 5 6 7 8 9 10 11 12	Tone uniform. So if the goal at The Port Authority is to prevent and deter crime, shouldn't you always be in uniform?  MR. BROPHY: Note my objection. You can answer. A. That's not my decision. Q. Okay. Who assigns you to patrol in plainclothes? A. As I stated before, it would either be the tour commander or the sergeant.
2 3 4 5 6 7 8 9 10 11 12 13	Tone Q. No one's ever communicated the purpose of a plainclothes post? A. It's picked at roll call by the supervisors, and we're instructed what to do. Q. Do you have any suspicions as to why they assign you to patrol in plainclothes? MR. BROPHY: Note my objection. You can answer. A. Suspicions? No. Q. Like do you have any beliefs as to why you're assigned to patrol in plainclothes? A. No.	3 4 5 6 7 8 9 10 11 12 13	Tone uniform. So if the goal at The Port Authority is to prevent and deter crime, shouldn't you always be in uniform?  MR. BROPHY: Note my objection. You can answer. A. That's not my decision. Q. Okay. Who assigns you to patrol in plainclothes? A. As I stated before, it would either be the tour commander or the sergeant. Q. Okay. So is that assigned at roll call
2 3 4 5 6 7 8 9 10 11 12 13 14	Tone Q. No one's ever communicated the purpose of a plainclothes post? A. It's picked at roll call by the supervisors, and we're instructed what to do. Q. Do you have any suspicions as to why they assign you to patrol in plainclothes? MR. BROPHY: Note my objection. You can answer. A. Suspicions? No. Q. Like do you have any beliefs as to why you're assigned to patrol in plainclothes? A. No. Q. So you just think it's like casual	3 4 5 6 7 8 9 10 11 12 13 14	Tone uniform. So if the goal at The Port Authority is to prevent and deter crime, shouldn't you always be in uniform?  MR. BROPHY: Note my objection. You can answer. A. That's not my decision. Q. Okay. Who assigns you to patrol in plainclothes? A. As I stated before, it would either be the tour commander or the sergeant. Q. Okay. So is that assigned at roll call or do you get a heads-up before you show up to
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Tone Q. No one's ever communicated the purpose of a plainclothes post? A. It's picked at roll call by the supervisors, and we're instructed what to do. Q. Do you have any suspicions as to why they assign you to patrol in plainclothes? MR. BROPHY: Note my objection. You can answer. A. Suspicions? No. Q. Like do you have any beliefs as to why you're assigned to patrol in plainclothes? A. No. Q. So you just think it's like casual jeans Friday or something?	3 4 5 6 7 8 9 10 11 12 13 14 15	Tone uniform. So if the goal at The Port Authority is to prevent and deter crime, shouldn't you always be in uniform?  MR. BROPHY: Note my objection. You can answer. A. That's not my decision. Q. Okay. Who assigns you to patrol in plainclothes? A. As I stated before, it would either be the tour commander or the sergeant. Q. Okay. So is that assigned at roll call or do you get a heads-up before you show up to work?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Tone Q. No one's ever communicated the purpose of a plainclothes post? A. It's picked at roll call by the supervisors, and we're instructed what to do. Q. Do you have any suspicions as to why they assign you to patrol in plainclothes? MR. BROPHY: Note my objection. You can answer. A. Suspicions? No. Q. Like do you have any beliefs as to why you're assigned to patrol in plainclothes? A. No. Q. So you just think it's like casual jeans Friday or something? MR. BROPHY: Objection.	3 4 5 6 7 8 9 10 11 12 13 14 15 16	Tone uniform. So if the goal at The Port Authority is to prevent and deter crime, shouldn't you always be in uniform?  MR. BROPHY: Note my objection. You can answer. A. That's not my decision. Q. Okay. Who assigns you to patrol in plainclothes? A. As I stated before, it would either be the tour commander or the sergeant. Q. Okay. So is that assigned at roll call or do you get a heads-up before you show up to work? A. Usually it would be at roll call. You
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Tone Q. No one's ever communicated the purpose of a plainclothes post? A. It's picked at roll call by the supervisors, and we're instructed what to do. Q. Do you have any suspicions as to why they assign you to patrol in plainclothes? MR. BROPHY: Note my objection. You can answer. A. Suspicions? No. Q. Like do you have any beliefs as to why you're assigned to patrol in plainclothes? A. No. Q. So you just think it's like casual jeans Friday or something? MR. BROPHY: Objection. You can answer.	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Tone uniform. So if the goal at The Port Authority is to prevent and deter crime, shouldn't you always be in uniform?  MR. BROPHY: Note my objection. You can answer. A. That's not my decision. Q. Okay. Who assigns you to patrol in plainclothes? A. As I stated before, it would either be the tour commander or the sergeant. Q. Okay. So is that assigned at roll call or do you get a heads-up before you show up to work? A. Usually it would be at roll call. You would have to go back downstairs, change out of
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Tone Q. No one's ever communicated the purpose of a plainclothes post? A. It's picked at roll call by the supervisors, and we're instructed what to do. Q. Do you have any suspicions as to why they assign you to patrol in plainclothes? MR. BROPHY: Note my objection. You can answer. A. Suspicions? No. Q. Like do you have any beliefs as to why you're assigned to patrol in plainclothes? A. No. Q. So you just think it's like casual jeans Friday or something? MR. BROPHY: Objection. You can answer. A. I don't know what you mean by "casual"	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Tone uniform. So if the goal at The Port Authority is to prevent and deter crime, shouldn't you always be in uniform?  MR. BROPHY: Note my objection.  You can answer.  A. That's not my decision.  Q. Okay.  Who assigns you to patrol in plainclothes?  A. As I stated before, it would either be the tour commander or the sergeant.  Q. Okay. So is that assigned at roll call or do you get a heads-up before you show up to work?  A. Usually it would be at roll call. You would have to go back downstairs, change out of uniform.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Tone Q. No one's ever communicated the purpose of a plainclothes post? A. It's picked at roll call by the supervisors, and we're instructed what to do. Q. Do you have any suspicions as to why they assign you to patrol in plainclothes? MR. BROPHY: Note my objection. You can answer. A. Suspicions? No. Q. Like do you have any beliefs as to why you're assigned to patrol in plainclothes? A. No. Q. So you just think it's like casual jeans Friday or something? MR. BROPHY: Objection. You can answer. A. I don't know what you mean by "casual jeans Friday."	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Tone uniform. So if the goal at The Port Authority is to prevent and deter crime, shouldn't you always be in uniform?  MR. BROPHY: Note my objection. You can answer. A. That's not my decision. Q. Okay. Who assigns you to patrol in plainclothes? A. As I stated before, it would either be the tour commander or the sergeant. Q. Okay. So is that assigned at roll call or do you get a heads-up before you show up to work? A. Usually it would be at roll call. You would have to go back downstairs, change out of uniform. Q. So it would be just whatever clothes
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Tone Q. No one's ever communicated the purpose of a plainclothes post? A. It's picked at roll call by the supervisors, and we're instructed what to do. Q. Do you have any suspicions as to why they assign you to patrol in plainclothes? MR. BROPHY: Note my objection. You can answer. A. Suspicions? No. Q. Like do you have any beliefs as to why you're assigned to patrol in plainclothes? A. No. Q. So you just think it's like casual jeans Friday or something? MR. BROPHY: Objection. You can answer. A. I don't know what you mean by "casual jeans Friday." Q. I mean, is it just for the officers'	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Tone uniform. So if the goal at The Port Authority is to prevent and deter crime, shouldn't you always be in uniform?  MR. BROPHY: Note my objection. You can answer. A. That's not my decision. Q. Okay. Who assigns you to patrol in plainclothes? A. As I stated before, it would either be the tour commander or the sergeant. Q. Okay. So is that assigned at roll call or do you get a heads-up before you show up to work? A. Usually it would be at roll call. You would have to go back downstairs, change out of uniform. Q. So it would be just whatever clothes you wear to work that day, or do you keep like a
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Tone Q. No one's ever communicated the purpose of a plainclothes post? A. It's picked at roll call by the supervisors, and we're instructed what to do. Q. Do you have any suspicions as to why they assign you to patrol in plainclothes? MR. BROPHY: Note my objection. You can answer. A. Suspicions? No. Q. Like do you have any beliefs as to why you're assigned to patrol in plainclothes? A. No. Q. So you just think it's like casual jeans Friday or something? MR. BROPHY: Objection. You can answer. A. I don't know what you mean by "casual jeans Friday." Q. I mean, is it just for the officers' enjoyment that you can dress in plainclothes?	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Tone uniform. So if the goal at The Port Authority is to prevent and deter crime, shouldn't you always be in uniform?  MR. BROPHY: Note my objection. You can answer. A. That's not my decision. Q. Okay. Who assigns you to patrol in plainclothes? A. As I stated before, it would either be the tour commander or the sergeant. Q. Okay. So is that assigned at roll call or do you get a heads-up before you show up to work? A. Usually it would be at roll call. You would have to go back downstairs, change out of uniform. Q. So it would be just whatever clothes you wear to work that day, or do you keep like a plainclothes outfit at work in case you get that
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Tone Q. No one's ever communicated the purpose of a plainclothes post? A. It's picked at roll call by the supervisors, and we're instructed what to do. Q. Do you have any suspicions as to why they assign you to patrol in plainclothes? MR. BROPHY: Note my objection. You can answer. A. Suspicions? No. Q. Like do you have any beliefs as to why you're assigned to patrol in plainclothes? A. No. Q. So you just think it's like casual jeans Friday or something? MR. BROPHY: Objection. You can answer. A. I don't know what you mean by "casual jeans Friday." Q. I mean, is it just for the officers' enjoyment that you can dress in plainclothes? MR. BROPHY: Objection.	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Tone uniform. So if the goal at The Port Authority is to prevent and deter crime, shouldn't you always be in uniform?  MR. BROPHY: Note my objection. You can answer. A. That's not my decision. Q. Okay. Who assigns you to patrol in plainclothes? A. As I stated before, it would either be the tour commander or the sergeant. Q. Okay. So is that assigned at roll call or do you get a heads-up before you show up to work? A. Usually it would be at roll call. You would have to go back downstairs, change out of uniform. Q. So it would be just whatever clothes you wear to work that day, or do you keep like a plainclothes outfit at work in case you get that assignment?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Tone Q. No one's ever communicated the purpose of a plainclothes post? A. It's picked at roll call by the supervisors, and we're instructed what to do. Q. Do you have any suspicions as to why they assign you to patrol in plainclothes? MR. BROPHY: Note my objection. You can answer. A. Suspicions? No. Q. Like do you have any beliefs as to why you're assigned to patrol in plainclothes? A. No. Q. So you just think it's like casual jeans Friday or something? MR. BROPHY: Objection. You can answer. A. I don't know what you mean by "casual jeans Friday." Q. I mean, is it just for the officers' enjoyment that you can dress in plainclothes? MR. BROPHY: Objection. Go ahead.	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	uniform. So if the goal at The Port Authority is to prevent and deter crime, shouldn't you always be in uniform?  MR. BROPHY: Note my objection. You can answer. A. That's not my decision. Q. Okay. Who assigns you to patrol in plainclothes? A. As I stated before, it would either be the tour commander or the sergeant. Q. Okay. So is that assigned at roll call or do you get a heads-up before you show up to work? A. Usually it would be at roll call. You would have to go back downstairs, change out of uniform. Q. So it would be just whatever clothes you wear to work that day, or do you keep like a plainclothes outfit at work in case you get that assignment? A. I would just wear what I wore into work
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Tone Q. No one's ever communicated the purpose of a plainclothes post? A. It's picked at roll call by the supervisors, and we're instructed what to do. Q. Do you have any suspicions as to why they assign you to patrol in plainclothes? MR. BROPHY: Note my objection. You can answer. A. Suspicions? No. Q. Like do you have any beliefs as to why you're assigned to patrol in plainclothes? A. No. Q. So you just think it's like casual jeans Friday or something? MR. BROPHY: Objection. You can answer. A. I don't know what you mean by "casual jeans Friday." Q. I mean, is it just for the officers' enjoyment that you can dress in plainclothes? MR. BROPHY: Objection.	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Tone uniform. So if the goal at The Port Authority is to prevent and deter crime, shouldn't you always be in uniform?  MR. BROPHY: Note my objection. You can answer. A. That's not my decision. Q. Okay. Who assigns you to patrol in plainclothes? A. As I stated before, it would either be the tour commander or the sergeant. Q. Okay. So is that assigned at roll call or do you get a heads-up before you show up to work? A. Usually it would be at roll call. You would have to go back downstairs, change out of uniform. Q. So it would be just whatever clothes you wear to work that day, or do you keep like a plainclothes outfit at work in case you get that assignment?

	Page 114		Page 116
1		1	- 1
2		2	2 long had you been an officer?
3	Q. Okay. So is there one level that's	3	
4		4	
5	A. It's that's a tough question to	5	5 officer?
6	answer so it's one side of it is; one side	6	6 A. Yes.
7	isn't.	7	Q. Were you patrolling with anyone else
8		8	3 that day?
9	at, just trying to make sure we're talking about	9	A. Yes.
10	the same floor.	10	Q. Do you remember who?
11	So what was your assignment? Was it	11	
	listed as third level or was it listed as like	12	•
	south third floor?	13	
14	, U	14	
15	, 1	15	1 3
l .	could be anywhere throughout the premises; or		6 correct?
	earlier you had said patrols might be north	17	
	building, south building, second floor, north.	18	, 1
	I'm just trying to figure out where you were		9 day?
1	stationed that day.	20	1 2 3
21	A. Plainclothes has the entire two		1 any law violations.
1	buildings.	22	
23	•	23	
24	Can you describe the third level for me so we're a little clear as to which one we're	24	Q. And going back, why were you patrolling the men's room?
23		23	
1	Page 115 Tone	1	Page 117  Tone
2	talking about? Is it third level from the	2	A. We were patrolling all the buildings.
l .	underground up or street level is level one and	3	2 7
4	then it's two above that?	4	4 day?
5	MR. BROPHY: Note my objection.	5	A. Because it's part of that it's part
6	You can answer if you can.	6	of the patrol area.
7	A. In which building?	7	Q. But you weren't looking for anything
8	Q. South. I believe you were in the south	8	B specific?
9	building, you said.	9	
10	A. So south building?	10	•
11	Q. Yeah.		l discussed earlier?
	A. Okay. It was	12	) A Nathing angific
12			S I
13	Q. Whichever building you were in when the	13	3 Q. Okay.
13 14	arrest occurred.	14	Q. Okay.  And do you recall what you did when you
13 14 15	arrest occurred.  A. There's a lower level you can enter	14 15	Q. Okay.  And do you recall what you did when you entered the restroom? You started to talk about
13 14 15 16	arrest occurred.  A. There's a lower level you can enter from either Ninth Avenue or the subway. Then you	14 15 16	Q. Okay.  And do you recall what you did when you sentered the restroom? You started to talk about looking under the stalls.
13 14 15 16 17	arrest occurred.  A. There's a lower level you can enter from either Ninth Avenue or the subway. Then you would come up to the second level, which is where	14 15 16 17	Q. Okay.  And do you recall what you did when you entered the restroom? You started to talk about looking under the stalls.  A. I entered the bathroom. I was checking
13 14 15 16 17 18	arrest occurred.  A. There's a lower level you can enter from either Ninth Avenue or the subway. Then you would come up to the second level, which is where all the main ticketing facilities are.	14 15 16 17 18	Q. Okay.  And do you recall what you did when you entered the restroom? You started to talk about looking under the stalls.  A. I entered the bathroom. I was checking underneath the stalls to make sure nobody was
13 14 15 16 17 18 19	arrest occurred.  A. There's a lower level you can enter from either Ninth Avenue or the subway. Then you would come up to the second level, which is where all the main ticketing facilities are.  Q. Okay.	14 15 16 17 18 19	Q. Okay.  And do you recall what you did when you entered the restroom? You started to talk about looking under the stalls.  A. I entered the bathroom. I was checking underneath the stalls to make sure nobody was sleeping on the floor, intoxication, anything like
13 14 15 16 17 18 19 20	arrest occurred.  A. There's a lower level you can enter from either Ninth Avenue or the subway. Then you would come up to the second level, which is where all the main ticketing facilities are.  Q. Okay.  A. Then the third level to the bus ramps.	14 15 16 17 18 19 20	Q. Okay.  And do you recall what you did when you entered the restroom? You started to talk about looking under the stalls.  A. I entered the bathroom. I was checking underneath the stalls to make sure nobody was sleeping on the floor, intoxication, anything like that.
13 14 15 16 17 18 19 20 21	A. There's a lower level you can enter from either Ninth Avenue or the subway. Then you would come up to the second level, which is where all the main ticketing facilities are.  Q. Okay.  A. Then the third level to the bus ramps.  Q. Okay. So that's where we're talking	14 15 16 17 18 19 20 21	And do you recall what you did when you entered the restroom? You started to talk about looking under the stalls.  A. I entered the bathroom. I was checking underneath the stalls to make sure nobody was sleeping on the floor, intoxication, anything like that.  Q. And was Mr or Mr. Kehoe with you
13 14 15 16 17 18 19 20 21 22	arrest occurred.  A. There's a lower level you can enter from either Ninth Avenue or the subway. Then you would come up to the second level, which is where all the main ticketing facilities are.  Q. Okay.  A. Then the third level to the bus ramps.  Q. Okay. So that's where we're talking about here, the third level at the bus ramps?	14 15 16 17 18 19 20 21 22	And do you recall what you did when you entered the restroom? You started to talk about looking under the stalls.  A. I entered the bathroom. I was checking underneath the stalls to make sure nobody was sleeping on the floor, intoxication, anything like that.  Q. And was Mr or Mr. Kehoe with you or was he in the bathroom or was he outside?
13 14 15 16 17 18 19 20 21 22 23	arrest occurred.  A. There's a lower level you can enter from either Ninth Avenue or the subway. Then you would come up to the second level, which is where all the main ticketing facilities are.  Q. Okay.  A. Then the third level to the bus ramps.  Q. Okay. So that's where we're talking about here, the third level at the bus ramps?  A. Well, the entrance to the bus ramps.	14 15 16 17 18 19 20 21 22 23	And do you recall what you did when you entered the restroom? You started to talk about looking under the stalls.  A. I entered the bathroom. I was checking underneath the stalls to make sure nobody was sleeping on the floor, intoxication, anything like that.  Q. And was Mr or Mr. Kehoe with you or was he in the bathroom or was he outside?  A. He was outside.
13 14 15 16 17 18 19 20 21 22	arrest occurred.  A. There's a lower level you can enter from either Ninth Avenue or the subway. Then you would come up to the second level, which is where all the main ticketing facilities are.  Q. Okay.  A. Then the third level to the bus ramps.  Q. Okay. So that's where we're talking about here, the third level at the bus ramps?	14 15 16 17 18 19 20 21 22	And do you recall what you did when you entered the restroom? You started to talk about looking under the stalls.  A. I entered the bathroom. I was checking underneath the stalls to make sure nobody was sleeping on the floor, intoxication, anything like that.  Q. And was Mr or Mr. Kehoe with you or was he in the bathroom or was he outside?  A. He was outside.  Q. Okay.

1 Tone 2 on the other side. 3 Q. So opposite the stalls. 4 Do you know how many urinals there swere? 5 A. No, I do not. 7 Q. Similar number of urinals to stalls or 8 more? 9 A. No, I don't know the answer. We could 10 contact engineering. 11 Q. So do the sinks take up about the sume 12 amount of room as the bathroom space or is it more 13 bathrooms than sinks? 14 MR. BROPHY: Note my objection. 15 You can answer. 16 A. Again, not being the engineer of the 17 bathroom, I can only speculate that it was a 18 little smaller. 19 Q. So Mr. Mejia is at the urinal, he's 18 little smaller. 19 Q. So Mr. Mejia is at the urinal, he's 20 turned to his right, I beticve you said, towards 21 this man next to him, and you've taken a few steps 22 from the sinks towards the stalls, and you're a 23 gave and see the other man's penis. 2 Tone 2 Was the other man urinating, do you 3 know? 4 A. No, I do not know. 5 Q. And you're a knew as observed, I exited the bathroom. 2 Was the other man urinating, do you 3 know? 4 A. No, I do not know. 5 Q. And you're a knew as observed, I exited the stalthoom. 6 Mr. Mejia. Is this the point where you arrested 1 him? 8 A. No. 9 Q. Okay. 10 So what happened next? 11 A. After the crime was observed, I exited 1 the bathroom. 12 Was the other man urinating, do you 10 thin him when we got back to the police desk is located on the 14 second level. 15 wincessed a crime. 16 Q. What specific act? 17 you? 18 A. Public lewdness. 19 Q. What specific act? 20 A. Masturbating in public. 21 Q. Was he also charged with exposure? 22 A. I don't have were at bine you stepped away towards Mr. Mejia? 4 A. No. 2 you can answer. 5 Q. Okay. 6 MR. BROPHY: Objection. 7 Go ahead. 8 A. It would be a guess at this point. 9 Q. So you observed the crime, and you were the crime, and you owere the crime, and you owere the crime; and you owere the crime, and you owere the crime; and you because the crime, and you owere the crime; and bush wheija?  6 M. R. BROPHY: Objection. 7 Q. So Mr. Mejia batheurian labeled the crime, and you wer		Page 138		Page 140
3 Q. So opposite the stalls. 4 Do you know how many urinals there 5 were? 6 A. No, I do not. 7 Q. Similar number of urinals to stalls or 8 more? 9 A. No, I don't know the answer. We could 10 contact engineering. 11 Q. So do the sinks take up about the same 12 amount of room as the bathroom space or is it more 13 bathrooms than sinks? 14 MR. BROPHY: Note my objection. 15 You can answer. 16 A. Again, not being the engineer of the 17 bathroom, I can only speculate that it was a 18 little smaller. 19 Q. So Mr. Mejia is at the urinal, he's 10 turned to his right, I believe you said, towards 21 this man next to him, and you've taken a few steps 22 from the sinks towards the stalls, and you're a 23 few feet away from Mr. Mejia. At this joint you 24 say you can see his penis and the other man, but 25 you can't see the other man urinating, do you 3 know? 1 Tone 2 Was the other man urinating, do you 3 know? 4 A. No, I do not know. 5 Q. And you're a few feet away from 6 Mr. Mejia. Is this the point where you arrested 7 him? 8 A. No. 9 Q. Okay. 1 A. After the crime was observed, I exited 11 the bathroom. 2 Q. Okay. 3 Q. Okay. 4 A. Ommunicated to my partner that I 15 witnessed a crime. 4 Q. And which crime are we talking about 17 here? 18 A. Public lewdness. 19 Q. What specific act? 20 Q. Was he also charged with exposure? 21 Q. Was he also charged with exposure? 22 A. I don't have the paperwork in front of 23 me. 24 Q. Do you know if the other person saw his 24 Q. Do you always work with a partner? 25 A. Because to perform an arrest inside the 26 crime, we waited 27 for the individual to exit the bathroom. 29 Q. Okay. 20 So Mr. Mejia comes out of the bathroom. 21 What did you say to him? 22 Q. Okay. 23 A. He just stated, What did I do? 24 Q. Did he say anything to you? 25 A. He just stated, What did I do? 26 Q. And so you told him he was under 27 sarrest. Did you tell him when we got back to the police desk? 3 A. The police desk is located on the 3 A. No. 3 Q. Okay. 4 A. Public lewdness. 4 Q. Okay. 5 A. He just stated what	1		1	-
4 sink you were at, but do you recall which sink you 5 were at before you stepped away towards Mr. Mejia? 6 A. No, I do not. 7 Q. Similar number of urinals to stalls or 8 more? 9 A. No, I don't know the answer. We could 10 contact engineering. 11 Q. So do the sinks take up about the same 12 amount of room as the bathroom space or is it more 13 bathrooms than sinks? 14 MR. BROPHY: Note my objection. 15 You can answer. 16 A. Again, not being the engineer of the 17 bathroom, I can only speculate that it was a 18 little smaller. 19 Q. So Mr. Mejia is at the urinal, he's 20 turned to his right, I believe you said, towards 21 this man next to him, and you've taken a few steps 22 from the sinks towards the stalls, and you're a 23 few feet away from Mr. Mejia. At this point you 24 say you can see his penis and the other man, but 25 you can't see the other man urinating, do you 3 know? 1 Tone 1 Tone 2 Was the other man urinating, do you 3 know? 1 Tone 2 Was the other man urinating, do you 3 know? 1 Tone 1 Tone 2 Was the other man urinating, do you 3 know? 2 A. No, I do not know. 3 Q. Okay. 4 A. No, I do not know. 5 Q. And you're a few feet away from 6 Mr. Mejia. Is this the point where you arrested 7 him? 8 A. No. 9 Q. Okay. 1 Communicated to my partner that I 5 witnessed a crime. 1 A. After the crime was observed, I exited the bathroom. 2 Q. What specific act? 2 Q. Okay. 3 Row. 4 A. Public lewdness. 4 Q. What specific act? 2 Q. Okay. 3 Row. 4 Q. What specific act? 2 Q. Okay. 3 Row. 4 A. Public lewdness. 4 Sink you were at betorey ou stepped away towards Mr. Mejia. 5 were at before you stepped away towards Mr. Mejia. 5 Go ahead. 8 M. It would be a guess at this point. 9 Q. So you observed the crime, and you were 10 then—what happened next after you observed the 11 crime? 12 A. Testied the bathroom. 13 partner, told him I observed a crime, we waited 14 for the individual to exit the bathroom. 15 Q. Okay. 20 Why didn't you immediately arrest him? 16 A. Because to perform an arrest inside the else involved. 21 Wasted to hi	2	on the other side.	2	A. No, I do not.
5 were at before you stepped away towards Mr. Mejia? 6 A. No, I do not. 7 Q. Similar number of urinals to stalls or 8 more? 9 A. No, I don't know the answer. We could 10 contact engineering. 11 Q. So do the sinks take up about the same 12 amount of room as the bathroom space or is it more 13 bathrooms than sinks? 14 MR. BROPHY: Note my objection. 15 You can answer. 15 You can answer. 16 A. Again, not being the engineer of the 17 bathroom, I can only speculate that it was a 18 little smaller. 19 Q. So Mr. Mejia is at the urinal, he's 20 turned to his right, I believe you said, towards 21 this man next to him, and you've taken a few steps 22 from the sinks towards the stalls, and you're a 23 few feet away from Mr. Mejia, At this point you 24 say you can't see the other man urinating, do you 24 say ou can't see the other man urinating, do you 25 you can't see the other man urinating, do you 26 Mr. BROPHY: Objection. 27 Q. Okay. 28 No. I don't know the answer. We could 29 Q. Okay. 20 So you observed the crime, and you were 10 then — what happened next after you observed the 11 crime? 12 A. I exited the bathroom, spoke to my 13 partner, told him I observed a crime, we waited 14 for the individual to exit the bathroom. 15 Q. Okay. 16 A. Because to perform an arrest inside the 17 restroom is not safe for the officers or anyone 18 selse involved. 19 Q. Okay. 20 Okay. 21 What iddy ou say to him? 22 A. We stated to him that he was under 23 arrest. 24 Q. Did he say anything to you? 25 A. He just stated, What did I do? 29 Q. Okay. 31 Tone 4 A. No, I do not know. 5 Q. And you're a few feet away from 6 Mr. Mr. BROPHY: Objection. 19 Q. Okay. 20 Okay. 21 Tone 2 Q. Okay. 22 A. We stated to him that he was under 23 arrest. 24 Q. Did he say anything to you? 25 A. He just stated, What did I do? 29 Q. Okay. 31 Tone 4 A. Yes, he was handcufff him? 4 A. Communicated to my partner that I 5 winessed a crime. 4 A. Vellie in dividual to exit the bathroom. 5 Q. Okay. 5 Q. And which crime are we talking about 17 here? 18 A. Public lewdness	3	Q. So opposite the stalls.	3	Q. I think you said you don't know which
6 A. No, I don't know the answer. We could 10 contact engineering. 9 A. No, I don't know the answer. We could 11 Q. So do the sinks take up about the same 12 amount of room as the bathroom space or is it more 13 bathrooms than sinks? 14 MR. BROPHY: Note my objection. 15 You can answer. 16 A. Again, not being the engineer of the 17 bathroom, I can only speculate that it was a 18 little smaller. 19 Q. So Mr. Mejia is at the urinal, he's 20 turned to his right, I believe you said, towards 21 this man next to him, and you've taken a few steps 22 from the sinks towards the stalls, and you're a 23 few feet away from Mr. Mejia. At this point you 24 say you can ase his penis and the other man, but 25 you can't see the other man's penis. 10 You, 20 And you're a few feet away from 6 Mr. Mejia. Is this the point where you arrested 7 him? 20 Q. Okay. 21 A. After the crime was observed, I exited 12 the bathroom. 22 Q. Okay. 23 And did you show him your badge? 24 A. A Communicated to my partner that I 5 witnessed a crime. 24 Q. What specific act? 26 Q. What specific act? 27 Q. Was he also charged with exposure? 28 A. Public lewdness. 29 Q. Okay. And why was Officer Kehoe with 17 you? 18 A. Public lewdness. 19 Q. Was he also charged with exposure? 21 A. I was explained to him that we were working as partners. 24 Q. Do you know if the other person saw his 24 A. No.	4	Do you know how many urinals there	4	sink you were at, but do you recall which sink you
7 Go ahead. 8 No. 1 don't know the answer. We could 10 contact engineering. 11 Q. So do the sinks take up about the same 12 amount of room as the bathroom space or is it more 13 bathrooms than sinks? 14 MR. BROPHY: Note my objection. 15 You can answer. 16 A. Again, not being the engineer of the 17 bathroom, I can only speculate that it was a 18 lintle smaller. 19 Q. So Mr. Mejia is at the urinal, he's 10 turned to his right, I believe you said, towards 21 this man next to him, and you've taken a few steps 22 from the sinks towards the stalls, and you're a 23 few feet away from Mr. Mejia. At this point you 24 say you can see his penis and the other man, but 25 you can't see the other man urinating, do you 26 a know? 27 A. No, I do not know. 28 A. No, I do not know. 29 Q. Okay. 20 Gokay. 21 Tone 21 Tone 22 Was the other man urinating, do you 23 know? 4 A. No, I do not know. 5 Q. And you're a few feet away from M. Mejia. At this the point where you arrested him? 8 A. No. 9 Q. Okay. 10 So what happened next? 11 A. After the crime was observed, I exited 11 to microscopic and the other man trinating. 12 Q. Okay. 13 partner, told him I observed a crime, we waited 14 for the individual to exit the bathroom. 15 Qu. Why didn't you immediately arrest him? 16 A. Because to perform an arrest inside the 17 restroom is not safe for the officers or anyone 18 else involved. 19 Q. Okay. 20 So Mr. Mejia comes out of the bathroom. 21 What did you say to him? 22 arrest. 24 Q. Did he say anything to you? 25 A. He just stated, What did I do? 26 A. Yes, I did. 27 Q. And did you show him your badge? 28 A. Yes, I did. 29 Q. Okay. 30 And did you show him your badge? 41 A. Communicated to my partner that I witnessed a crime. 42 Q. Okay. 43 A. Tt would be a guess at this point. 44 for the individual to exit the bathroom. 45 partner, told him I observed a crime, we waited 46 for the individual to exit the bathroom. 47 restroom is not safe for the officers or anyone 48 A. No, I do not know. 5 Q. And you're a few feet away from M. Aid did you	5	were?	5	were at before you stepped away towards Mr. Mejia?
8 A. It would be a guess at this point. 9 A. No, I don't know the answer. We could 10 contact engineering. 11 Q. So do the sinks take up about the same 12 amount of room as the bathroom space or is it more 13 hathrooms than sinks? 14 MR. BROPHY: Note my objection. 15 You can answer. 16 A. Again, not being the engineer of the 17 bathroom, I can only speculate that it was a 18 little smaller. 19 Q. So Mr. Mejia is at the urinal, he's 20 turned to his right, I believe you said, towards 21 this man next to him, and you've taken a few steps 22 from the sinks towards the stalls, and you're a 23 few feet away from Mr. Mejia. At this point you 24 say you can's see the other man's penis. 25 you can't see the other man's penis. 26 Was the other man urinating, do you 3 know? 4 A. No, I do not know. 5 Q. And you're a few feet away from 6 Mr. Mejia. Is this the point where you arrested 7 him? 8 A. No. 9 Q. Okay. 10 So what happened next? 11 Tone 2 Was the other man urinating, do you 3 know? 4 A. No, I do not know. 5 Q. And you're a few feet away from 6 Mr. Mejia. Is this the point where you arrested 7 him? 8 A. No. 9 Q. Okay. 10 So what happened next? 11 S witnessed a crime. 12 what papened next after you observed the crime, and you were 11 then—what happened next after you observed the 11 crime? 12 A. I exited the bathroom, spoke to my bapten their, to limit hat he waited 14 for the individual to exit the bathroom. 15 Q. Way 16 (A. Again, not being the engineer of the 17 restroom is not safe for the officers or anyone 18 else involved. 19 Q. Okay. 20 Nes you to him? 21 What did you say to him? 22 A. He stated the bathroom. 21 What did you say to him? 22 A. He just stated, What did I do? 22 A. We stated to him that he was under 23 arrest. 24 Q. Did you tall him vhat for? 24 A. Yes, I did. 3 C. And did you show him your badge? 4 A. Yes, I did. 5 Q. And did you show him what for? 9 A. It was explained to him that we would 10 explain it to him what for? 10 Q. Okay. 11 desk. 12 Q. Okay. 13 A. The police desk? 14 for the individ	6	A. No, I do not.	6	MR. BROPHY: Objection.
9 Q. So you observed the crime, and you were 10 then—what happened next after you observed the 11 crime? 12 amount of room as the bathroom space or is it more 13 bathrooms than sinks? 13 bathrooms than sinks? 14 MR. BROPHY: Note my objection. 15 You can answer. 16 A. Again, not being the engineer of the 17 bathroom. I can only speculate that it was a 18 little smaller. 19 Q. So Mr. Mejia is at the urinal, he's 20 turned to his right, I believe you said, towards 21 this man next to him, and you've taken a few steps 22 from the sinks towards the stalls, and you're a 23 few feet away from Mr. Mejia. At this point you 24 say you can's see the other man's penis.  1 Tone 2 Was the other man urinating, do you 3 know? 1 A. No, I do not know. 2 Was the other man urinating, do you 3 know? 4 A. No, I do not know. 5 Q. And you're a few feet away from 6 Mr. Mejia. Is this the point where you arrested 7 him? 8 A. No. 9 Q. Okay. 10 So what happened next? 11 Lexited the bathroom, spoke to my 13 partner, told him 1 observed a crime, we waited 14 for the individual to exit the bathroom. 15 Q. Why didn't you immediately arrest him? 16 A. Because to perform an arrest inside the clse involved. 19 Q. Okay. 20 So Mr. Mejia comes out of the bathroom. 21 What did you say to him? 22 A. We stated to him that he was under 23 arrest. 24 Q. Did he say anything to you? 25 A. He just stated, What did I do? 2 Okay. 2 Okay. 2 Okay. 3 And did you show him your badge? 4 A. Yes, I did. 5 Q. And so you told him he was under 23 arrest. 6 A. Yes, be was handecuffed. 7 Q. And so you told him he was under 24 the bathroom. 16 A. Recause were working as partners. 17 Leyon of the bathroom. 18 little smaller. 19 Q. Okay. 20 Okay. 21 Lexited the bathroom. 22 A. Lexited the bathroom. 23 Pos Why didn't you immediately arrest him? 16 A. Because to perform an arrest inside the lose to my off restored to my one set less involved. 20 A. Was tale to him that he was under 23 arrest. 24 Q. Did he say anything to you? 25 A. He just stated, What did I do? 26 A. Yes, I	7	Q. Similar number of urinals to stalls or	7	Go ahead.
10 contact engineering.   10 then what happened next after you observed the   11 crime?   12 amount of room as the bathroom space or is it more   13 bathrooms than sinks?   14 MR. BROPHY: Note my objection.   15 You can answer.   15 Q. Why didn't you immediately arrest him?   16 A. Again, not being the engineer of the   17 bathroom. I can only speculate that it was a   18 little smaller.   19 Q. So Mr. Mejia is at the urinal, he's   20 turned to his right, I believe you said, towards   21 this man next to him, and you've taken a few steps   22 from the sinks towards the stalls, and you're a   23 few feet away from Mr. Mejia. At this point you   25 you can't see the other man's penis.   24 Q. Did he say anything to you?   25 A. He just stated, What did I do?   2 Q. Okay.   3 know?   4 A. No, I do not know.   5 Q. And you're a few feet away from   6 Mr. Mejia. Is this the point where you arrested   7 him?   8 A. No.   4 A. No.   4 A. No.   4 A. No.   5 Q. Okay.   5 Q. Okay.   6 A. After the crime was observed, I exited   16 the bathroom.   17 you?   18 A. Public lewdness.   19 Q. What specific act?   Q. Was he also charged with exposure?   24 Q. Do you know if the other person saw his   24 Q. Do you always work with a partner?   25 Q. Okay.   26 Q. Okay.   27 Q. Okay.   28 A. No.   29 Q. Okay.   29 A. It was explained to him that we would   29 Q. Okay.   29 Q. Ok	8	more?	8	A. It would be a guess at this point.
11 crime? 12 amount of room as the bathroom space or is it more 13 bathrooms than sinks? 14 MR. BROPHY: Note my objection. 15 You can answer. 16 A. Again, not being the engineer of the 17 bathroom. I can only speculate that it was a 18 little smaller. 19 Q. So Mr. Mejia is at the urinal, he's 20 turmed to his right, I believe you said, towards 21 this man next to him, and you've taken a few steps 22 from the sinks towards the stalls, and you're a 23 few feet away from Mr. Mejia. At this point you 24 say you can see his penis and the other man, but 25 you can't see the other man urinating, do you 3 know? 1 Tone 2 Was the other man urinating, do you 3 know? 4 A. No, I do not know. 5 Q. And you're a few feet away from 6 Mr. Mejia. Is this the point where you arrested 7 him? 8 A. No. 9 Q. Okay. 10 So what happened next? 11 A. After the crime was observed, I exited 12 the bathroom. 15 Q. Why didn't you immediately arrest him? 16 A. Because to perform an arrest inside the 17 restroom is not safe for the officers or anyone 18 lelse involved. 19 Q. Okay. 20 Most Mr. Mejia comes out of the bathroom. 21 What did you say to him? 22 A. We stated to him that he was under 23 arrest. 24 Q. Did he say anything to you? 25 A. He just stated, What did I do? 26 Q. Okay. 3 And did you show him your badge? 4 A. Yes, I did. 5 Q. And did you handcufff him? 6 A. Yes, he was handcuffed. 7 Q. And so you told him he was under 8 arrest. Did you tell him what for? 9 A. It was explained to him that we would 10 explain it to him when we got back to the police 11 desk. 12 Q. Okay. 13 A. The police desk? 13 A. The police desk? 13 A. The police desk is located on the 14 second level. 15 Q. Okay. 16 A. Pos. 17 Q. Okay. 18 A. No. 19 Q. Okay. 19 Q. Okay. 20 Okay. 21 A. Because we were working as partners. 22 Q. Okay. 23 arrest. 24 Q. Did was explained to him that we would 25 you that day? 26 Q. And where's the police desk? 27 Q. Okay. 28 A. No. 29 Q. Okay. 29 Q. Okay. 30 And did you show him your badge? 40 A. Machin the was under 41 A. Communicated	9	A. No, I don't know the answer. We could	9	Q. So you observed the crime, and you were
12 amount of room as the bathroom space or is it more   13 bathrooms than sinks?   14 MR BROPHY: Note my objection.   15 You can answer.   16 A. Again, not being the engineer of the 17 bathroom, I can only speculate that it was a   18 little smaller.   19 Q. So Mr. Mejia is at the urinal, he's   20 turned to his right, I believe you said, towards   21 this man next to him, and you've taken a few steps   27 from the sinks towards the stalls, and you're a   28 few feet away from Mr. Mejia. At this point you   24 say you can see his penis and the other man, but   25 you can't see the other man's penis.   22 A. We stated to him that he was under   23 arrest.   24 Q. Did he say anything to you?   25 A. He just stated, What did I do?   27 A. Wes, I did.   28 A. No.   4 A. No, I do not know.   5 Q. And you're a few feet away from   6 Mr. Mejia. Is this the point where you arrested   1 him?   8 A. No.   4 A. No.   4 A. No.   4 A. No.   5 Q. Okay.   5 Q. And you're a few feet away from   6 Mr. Mejia. Is this the point where you arrested   1 him?   8 A. No.   9 Q. Okay.   1 A. After the crime was observed, I exited   1 twistessed a crime.   1 A. After the crime was observed, I exited   1 twistessed a crime.   1 A. After the crime are we talking about   1 him what for?   9 A. It was explained to him that we would   1 twistessed a crime.   1	10	contact engineering.	10	then what happened next after you observed the
13 bathrooms than sinks? 14 MR. BROPHY: Note my objection. 15 You can answer. 16 A. Again, not being the engineer of the 17 bathroom, I can only speculate that it was a 18 little smaller. 19 Q. So Mr. Mejia is at the urinal, he's 20 turned to his right, I believe you said, towards 21 this man next to him, and you've taken a few steps 22 from the sinks towards the stalls, and you're a 23 few feet away from Mr. Mejia. At this point you 24 say you can't see the other man's penis. 25 you can't see the other man urinating, do you 3 know? 4 A. No, I do not know. 5 Q. And you're a few feet away from 6 Mr. Mejia. Is this the point where you arrested 7 him? 8 A. No. 9 Q. Okay. 10 So what happened next? 11 A. After the crime was observed, I exited 12 the bathroom. 13 Q. Okay. 14 A. Communicated to my partner that I 15 witnessed a crime. 16 Q. And which crime are we talking about 17 here? 18 A. Public lewdness. 19 Q. Was he also charged with exposure? 20 A. Masturbating in public. 21 Q. Do you know if the other person saw his 24 22 Q. Okay. 23 partner, told him I observed a crime, we waited 14 for the individual to exit the bathroom. 15 Q. Why didn't you immediately arrest him? 16 A. Because to perform an arrest inside the 17 restroom is not safe for the officers or anyone 18 else involved. 19 Q. Okay. 20 Whr. Mejia comes out of the bathroom. 21 What did you say to him? 22 A. We stated to him that he was under 23 arrest. 24 Q. Did he say anything to you? 25 A. He just stated, What did I do? 26 Q. Okay. 31 And did you show him your badge? 4 A. Yes, I did. 5 Q. And so you told him he was under 4 A. Yes, he was handcuffed. 7 Q. And so you told him he was under 8 arrest. Did you tell him what for? 9 A. It was explained to him that we would 10 explain it to him when we got back to the police desk? 11 desk. 12 Q. Okay. 13 A. The police desk is located on the 14 Second level. 15 Q. Okay. 16 Was anyone besides Officer Kehoe with 17 you? 18 A. Public lewdness. 19 Q. Okay. And why was Officer Kehoe with 20 you that day? 21 A. Becau	11	Q. So do the sinks take up about the same	11	crime?
14 for the individual to exit the bathroom. 15 You can answer. 16 A. Again, not being the engineer of the 17 bathroom, I can only speculate that it was a 18 little smaller. 19 Q. So Mr. Mejia is at the urinal, he's 20 turned to his right, I believe you said, towards 21 this man next to him, and you've taken a few steps 22 from the sinks towards the stalls, and you're a 23 few feet away from Mr. Mejia. At this point you 24 say you can see his penis and the other man, but 25 you can't see the other man's penis.  Page 139 1 Tone 2 Was the other man urinating, do you 3 know? 4 A. No, I do not know. 5 Q. And you're a few feet away from 6 Mr. Mejia. Is this the point where you arrested 7 him? 8 A. No. 9 Q. Okay. 10 So what happened next? 11 A. After the crime was observed, I exited 12 the bathroom. 13 Q. Okay. 14 A. Communicated to my partner that I 15 witnessed a crime. 15 Q. Why didn't you immediately arrest him? 16 A. Because to perform an arrest inside the 17 restroom is not safe for the officers or anyone 18 else involved. 19 Q. Okay. 20 So Mr. Mejia comes out of the bathroom. 21 What did you say to him? 22 A. We stated to him that he was under 23 arrest. 24 Q. Did he say anything to you? 25 A. He just stated, What did I do? 26 Q. Okay. 27 A. He just stated, What did I do? 28 A. Yes, he was handcuff him? 29 Q. Okay. 30 And did you show him your badge? 4 A. Yes, he was handcuff him? 4 A. Yes, he was handcuffed. 5 Q. And so you told him he was under 28 arrest. Did you tell him what for? 29 A. It was explained to him that we would explain it to him when we got back to the police desk: 10 Q. Okay. 11 desk. 12 Q. Okay. 13 A. The police desk is located on the 14 second level. 15 Q. Okay. 16 Was anyone besides Officer Kehoe with 17 you? 18 A. Public lewdness. 19 Q. Okay. And why was Officer Kehoe with 17 you? 20 Q. Okay. 21 A. Because we were working as partners. 22 Q. Okay. 23 A. Because we were working as partners. 24 Q. Okay. 25 Do you always work with a partner? 26 A. No. 27 Okay. 28 A. He just stated, what did I d	12	amount of room as the bathroom space or is it more	12	A. I exited the bathroom, spoke to my
15	13	bathrooms than sinks?	13	partner, told him I observed a crime, we waited
16 A. Again, not being the engineer of the 17 bathroom, I can only speculate that it was a 18 little smaller. 19 Q. So Mr. Mejia is at the urinal, he's 20 turned to his right, I believe you said, towards 21 this man next to him, and you've taken a few steps 22 from the sinks towards the stalls, and you're a 23 few feet away from Mr. Mejia. At this point you 24 say you can see his penis and the other man, but 25 you can't see the other man urinating, do you 3 know? 10 Tone 1	14	MR. BROPHY: Note my objection.	14	for the individual to exit the bathroom.
17 bathroom, I can only speculate that it was a 18 little smaller.	15	You can answer.	15	Q. Why didn't you immediately arrest him?
18 little smaller. 19 Q. So Mr. Mejia is at the urinal, he's 20 turned to his right, I believe you said, towards 21 this man next to him, and you've taken a few steps 22 from the sinks towards the stalls, and you're a 23 few feet away from Mr. Mejia. At this point you 24 say you can't see the other man's penis.  Page 139  Tone  Page 139  Tone  Page 139  Now.  A. No, I do not know.  Q. And you're a few feet away from 6 Mr. Mejia. Is this the point where you arrested him? A. No. Q. And you're a few feet away from 6 Mr. Mejia. Is this the point where you arrested him? A. No. Q. Okay. Q. Okay. Q. Okay. A. After the crime was observed, I exited 12 the bathroom. 13 Q. Okay. 14 A. Communicated to my partner that I to witnessed a crime. 15 Q. And which crime are we talking about 17 here? 18 A. Public lewdness. 19 Q. What specific act? 20 A. I don't have the paperwork in front of manual and the development of the bathroom. 21 Mrat did you say to him? 22 A. We stated to him that he was under 23 arrest. 24 Q. Did he say anything to you? 25 A. He just stated, What did I do?  Page 141 1 Tone 2 Q. Okay. 3 And did you show him your badge? 4 A. Yes, he was handcuffed. 5 Q. And so you told him he was under 8 arrest. Did you tell him what for? 9 A. It was explained to him that we would 10 explain it to him when we got back to the police desk. 11 desk. 12 Q. And where's the police desk? 13 A. The police desk is located on the 14 second level. 15 Q. Okay. 16 Was anyone besides Officer Kehoe with 17 you? 18 A. No. 19 Q. What specific act? 20 A. Masturbating in public. 21 Q. Was he also charged with exposure? 22 A. Because we were working as partners. 23 me. 24 Q. Okay. 25 A. Be just stated, What did I do? 26 Q. Okay. 27 A. He just stated, What did I do? 28 A. I don't him he was under 29 Q. Okay. 20 Q. Okay. 30 And did you show him your badge? 4 A. Yes, he was handcuffed. 4 A. Yes, he was handcuffed. 5 Q. And where's the police desk? 16 Q. Okay. 17 Q. Okay. 18 A. No. 19 Q. Okay. 19 Q. Okay. 20 Q. Okay. 21 A. Because we were working	16	A. Again, not being the engineer of the	16	A. Because to perform an arrest inside the
19 Q. So Mr. Mejia is at the urinal, he's 20 turned to his right, I believe you said, towards 21 this man next to him, and you've taken a few steps 22 from the sinks towards the stalls, and you're a 23 few feet away from Mr. Mejia. At this point you 24 say you can see his penis and the other man, but 25 you can't see the other man's penis.  Page 139  1 Tone 2 Was the other man urinating, do you 3 know? 4 A. No, I do not know. 5 Q. And you're a few feet away from 6 Mr. Mejia. Is this the point where you arrested 7 him? 8 A. No. 9 Q. Okay. 10 So Mr. Mejia comes out of the bathroom. 21 What did you say to him? 22 A. We stated to him that he was under 23 arrest. 24 Q. Did he say anything to you? 25 A. He just stated, What did I do?  Page 141  1 Tone 2 Q. Okay. 3 And did you show him your badge? 4 A. Yes, I did. 5 Q. And did you handcuff him? 6 A. Yes, he was handcuffed. 7 Q. And so you told him he was under 8 arrest. Did you tell him what for? 9 A. It was explained to him that we would 10 So what happened next? 11 A. After the crime was observed, I exited 12 the bathroom. 13 Q. Okay. 14 A. Communicated to my partner that I 15 witnessed a crime. 15 Q. And which crime are we talking about 17 here? 18 A. Public lewdness. 19 Q. What specific act? 20 A. Masturbating in public. 21 Q. Was he also charged with exposure? 22 A. I don't have the paperwork in front of 22 me. 24 Q. Oiday. 25 A. He just stated, What did I do? 26 A. Yes, I did. 5 Q. Okay. 3 And did you show him your badge? 4 A. Yes, I did. 5 Q. And so you told him he was under 6 A. Yes, I did. 7 Q. And so you told him he was under 8 arrest. Did you tell him what for? 9 A. It was explained to him that we would 10 desk. 12 Q. And where's the police desk? 13 A. The police desk is located on the 14 second level. 15 Q. Okay. 16 Was anyone besides Officer Kehoe with 17 you? 18 A. No. 19 Q. Okay. 20 Okay. 3 arrest. 24 Q. Okay. 4 A. Yes, I did. 5 Q. And where's the police desk? 10 Q. Okay. 11 desk. 12 Q. Okay. 13 A. The police desk is located on the 14 second level. 15 Q	17	bathroom, I can only speculate that it was a	17	restroom is not safe for the officers or anyone
20 turned to his right, I believe you said, towards 21 this man next to him, and you've taken a few steps 22 from the sinks towards the stalls, and you're a 23 few feet away from Mr. Mejia. At this point you 24 say you can see his penis and the other man, but 25 you can't see the other man's penis.  Page 139  Tone  Tone  Was the other man urinating, do you 3 know?  A. No, I do not know. 5 Q. And you're a few feet away from 6 Mr. Mejia. Is this the point where you arrested 7 him? A. No. 9 Q. Okay. 10 So Mr. Mejia comes out of the bathroom. 21 What did you say to him? 22 A. We stated to him that he was under 23 arrest. 24 Q. Did he say anything to you? 25 A. He just stated, What did I do?  Page 141  1 Tone 2 Q. Okay. 3 And did you show him your badge? 4 A. Yes, I did. 5 Q. And did you handcuff him? 6 A. Yes, he was handcuffed. 7 Q. And so you told him he was under 8 arrest. Did you tell him what for? 9 A. It was explained to him that we would 10 explain it to him when we got back to the police desk? 11 A. The police desk is located on the 14 second level. 15 Q. Okay. 16 Q. And which crime are we talking about 17 here? 18 A. Public lewdness. 19 Q. What specific act? 20 A. Masturbating in public. 21 Q. Was he also charged with exposure? 22 A. I don't have the paperwork in front of 23 me. 24 Q. Did he say anything to you? 25 A. He just stated, What did I do?  Page 141  1 Tone 2 Q. Okay. 3 A. Yes, I did. 5 Q. And so you told him he was under 4 A. Yes, I did. 5 Q. And where's the police desk? 11 desk. 12 Q. And where's the police desk? 13 A. The police desk is located on the 14 second level. 15 Q. Okay. 16 Was anyone besides Officer Kehoe with 17 you? 18 A. No. 19 Q. Okay. And why was Officer Kehoe with 20 you that day? 21 A. Because we were working as partners. 22 Q. Okay. 23 arrest. 24 Q. Okay. 3 hod id you sal to him that he was under 4 A. Yes, I did. 5 Q. Okay. 4 A. Yes, I did. 5 Q. And so you told him he was under 8 arrest. Did you tell him what for? 9 A. It was explained to him that we would 10 explain it to him	18	little smaller.	18	else involved.
21 this man next to him, and you've taken a few steps 22 from the sinks towards the stalls, and you're a 23 few feet away from Mr. Mejia. At this point you 24 say you can't see the other man's penis.  24 Q. Did he say anything to you? 25 A. He just stated, What did I do?  26 Page 139  1 Tone 2 Was the other man urinating, do you 3 know? 3 know? 4 A. No, I do not know. 5 Q. And you're a few feet away from 6 Mr. Mejia. Is this the point where you arrested 7 him? 8 A. No. 9 Q. Okay. 10 So what happened next? 11 A. After the crime was observed, I exited 12 the bathroom. 13 Q. Okay. 14 A. Communicated to my partner that I witnessed a crime. 15 witnessed a crime. 16 Q. And which crime are we talking about 17 here? 18 A. Public lewdness. 19 Q. What specific act? 20 A. Masturbating in public. 21 Q. Was he also charged with exposure? 22 A. Idon't have the paperwork in front of 20 Do you know if the other person saw his 24  24 Q. Did he say anything to you? 25 A. He just stated, What did I do?  Page 141  Tone 2 Q. Okay. 3 And did you show him your badge? 4 A. Yes, I did. 5 Q. And so you told him he was under a arrest. Did you tell him what for? 9 A. It was explained to him that we would 10 explain it to him when we got back to the police desk. 11 desk. 12 Q. And where's the police desk? 13 A. The police desk is located on the 14 Second level. 15 Q. Okay. 16 Was anyone besides Officer Kehoe with 17 you? 18 A. No. 19 Q. Okay. And why was Officer Kehoe with 17 you? 18 A. No. 29 Q. Okay. And why was Officer Kehoe with 20 Okay. 3 And did you show him your badge? 4 A. Yes, I did. 5 Q. And so you tell him what for? 9 A. It was explained to him that we would 10 explain it to him when we got back to the police desk. 11 desk. 12 Q. Okay. 13 A. The police desk is located on the 14 Second level. 15 Q. Okay. 16 Was anyone besides Officer Kehoe with 17 you? 18 A. Ro. 29 Q. Okay. And why was Officer Kehoe with 29 Q. Okay. And why was Officer Kehoe with 29 Q. Oyou always work with a partner? 20 A. No.	19	Q. So Mr. Mejia is at the urinal, he's	19	Q. Okay.
22 from the sinks towards the stalls, and you're a 23 few feet away from Mr. Mejia. At this point you 24 say you can see his penis and the other man, but 25 you can't see the other man's penis.  Page 139  Tone  Was the other man urinating, do you 3 know?  A. No, I do not know. 5 Q. And you're a few feet away from 6 Mr. Mejia. Is this the point where you arrested 7 him?  A. No. 9 Q. Okay. 11 A. After the crime was observed, I exited 12 the bathroom. 13 Q. Okay. 14 A. Communicated to my partner that I to witnessed a crime. 15 witnessed a crime. 16 Q. And which crime are we talking about 17 here? 18 A. Public lewdness. 19 Q. What specific act? 20 A. We stated to him that he was under 21 arrest. 22 A. We stated to him that he was under 23 arrest. 24 Q. Did he say anything to you? 25 A. He just stated, What did I do?  Page 141  Tone 2 Q. Okay. 3 And did you show him your badge? 4 A. Yes, I did. 6 A. Yes, I did. 7 Q. And so you told him he was under 8 arrest. Did you tell him what for? 9 A. It was explained to him that we would 10 explain it to him when we got back to the police desk? 11 desk. 12 Q. And where's the police desk? 13 A. The police desk is located on the 14 second level. 15 Q. Okay. 16 Q. And which crime are we talking about 17 here? 18 A. Public lewdness. 19 Q. What specific act? 20 A. Masturbating in public. 21 Q. Was he also charged with exposure? 22 A. I don't have the paperwork in front of 23 me. 24 Q. Do you know if the other person saw his 24 A. We stated to him that he was under 25 arrest. 26 Q. Okay. 27 A. We stated to him that he was under 28 A. He just stated, What did I do?  Page 141  Tone 2 Q. Okay. 4 A. Yes, I did. 5 Q. And so you told him he was under 8 arrest. Did you tell him what for? 9 A. It was explained to him that we would 10 explain it to him when we got back to the police 11 desk. 12 Q. Okay. 13 A. The police desk is located on the 14 second level. 15 Q. Okay. 16 Was anyone besides Officer Kehoe with 17 you? 18 A. Public lewdness. 19 Q. Okay. And why was Officer Kehoe with 20 you	20	turned to his right, I believe you said, towards	20	So Mr. Mejia comes out of the bathroom.
23 few feet away from Mr. Mejia. At this point you 24 say you can see his penis and the other man, but 25 you can't see the other man's penis.  Page 139  Tone 2 Was the other man urinating, do you 3 know? 4 A. No, I do not know. 5 Q. And you're a few feet away from 6 Mr. Mejia. Is this the point where you arrested 7 him? 8 A. No. 9 Q. Okay. 10 So what happened next? 11 A. After the crime was observed, I exited 12 the bathroom. 13 Q. Okay. 14 A. Communicated to my partner that I switnessed a crime. 15 witnessed a crime. 16 Q. And which crime are we talking about 17 here? 18 A. Public lewdness. 19 Q. What specific act? 20 Did he say anything to you? 25 A. He just stated, What did I do?  Page 141  Tone 2 Q. Okay. 3 And did you show him your badge? 4 A. Yes, I did. 5 Q. And did you handcuff him? 6 A. Yes, he was handcuffed. 7 Q. And so you told him he was under 8 arrest. Did you tell him what for? 9 A. It was explained to him that we would 10 explain it to him when we got back to the police desk? 13 A. The police desk is located on the 14 second level. 15 Q. Okay. 16 Was anyone besides Officer Kehoe with 17 you? 18 A. Public lewdness. 19 Q. What specific act? 20 A. Masturbating in public. 21 Q. Was he also charged with exposure? 22 A. I don't have the paperwork in front of 23 me. 24 Q. Okay. 3 And did you show him your badge? 4 A. Yes, I did. 7 Q. And so you told him he was under 8 arrest. Did you tell him what for? 9 A. It was explained to him that we would 10 explain it to him when we got back to the police desk? 13 A. The police desk is located on the 14 second level. 15 Q. Okay. 16 Was anyone besides Officer Kehoe with 17 you? 18 A. No. 19 Q. Okay. And why was Officer Kehoe with 20 you that day? 21 A. Because we were working as partners. 22 Q. Okay. 23 Do you always work with a partner? 24 Q. Okay.	21	this man next to him, and you've taken a few steps	21	What did you say to him?
24 say you can see his penis and the other man, but 25 you can't see the other man's penis.  24 Q. Did he say anything to you? 25 A. He just stated, What did I do?  Page 139  Tone  Was the other man urinating, do you 3 know?  4 A. No, I do not know. 5 Q. And you're a few feet away from 6 Mr. Mejia. Is this the point where you arrested 7 him?  8 A. No. 9 Q. Okay. 9 Q. Okay. 9 Q. Okay. 10 So what happened next? 11 A. After the crime was observed, I exited 12 the bathroom. 12 the bathroom. 13 Q. Okay. 14 A. Communicated to my partner that I witnessed a crime. 15 witnessed a crime. 16 Q. And which crime are we talking about 17 here? 18 A. Public lewdness. 19 Q. What specific act? 20 Was he also charged with exposure? 21 Q. Was he also charged with exposure? 22 A. I don't have the paperwork in front of 23 me. 24 Q. Do you know if the other person saw his 24  Did he say anything to you?  Page 141  Tone  2 Q. Okay.  1 Tone 2 Q. Okay. 4 A. Yes, I did. 5 Q. And did you handcuff him? 6 A. Yes, he was handcuffed. 7 Q. And so you told him he was under 8 arrest. Did you tell him what for? 9 A. It was explained to him that we would 10 explain it to him when we got back to the police 11 desk. 12 Q. And where's the police desk? 13 A. The police desk is located on the 14 second level. 15 Q. Okay. 16 Was anyone besides Officer Kehoe with 17 you? 18 A. Public lewdness. 19 Q. Was he also charged with exposure? 20 A. Masturbating in public. 21 Q. Was he also charged with exposure? 22 A. I don't have the paperwork in front of 22 Q. Okay. 23 me. 24 Q. Do you know if the other person saw his 24  Do you always work with a partner?	22	from the sinks towards the stalls, and you're a	22	A. We stated to him that he was under
25 you can't see the other man's penis.  Page 139  Tone  Was the other man urinating, do you  know?  A. No, I do not know.  Q. And you're a few feet away from  Mr. Mejia. Is this the point where you arrested  him?  A. No.  Q. And did you handcuff him?  A. Yes, I did.  Q. And did you handcuff him?  A. Yes, he was handcuffed.  Q. And so you told him he was under  arrest. Did you tell him what for?  A. After the crime was observed, I exited  the bathroom.  Q. Okay.  A. Communicated to my partner that I  witnessed a crime.  Q. And which crime are we talking about  there?  A. Public lewdness.  Q. What specific act?  A. Masturbating in public.  Q. Was he also charged with exposure?  A. I don't have the paperwork in front of  Q. Do you know if the other person saw his  A. No.  Page 141  Tone  2 Q. Okay.  And did you show him your badge?  A. Yes, I did.  C. A. Yes, he was handcuffed.  A. Yes, he was handcuffed.  A. Yes, he was handcuffed.  A. Yes, he was explained to him that we would to explain it to him when we got back to the police explain it to him when we got back to the police desk?  A. The police desk is located on the  Was anyone besides Officer Kehoe with  You?  Was anyone besides Officer Kehoe with  You?  A. Because we were working as partners.  Q. Okay.  Do you always work with a partner?	23	few feet away from Mr. Mejia. At this point you	23	arrest.
Page 139  Tone  Tone  Was the other man urinating, do you  know?  A. No, I do not know.  C. And you're a few feet away from  Mr. Mejia. Is this the point where you arrested  him?  A. No.  Q. And did you show him your badge?  A. No.  And did you show him your badge?  A. Yes, I did.  A. Yes, he was handcuffed.  Q. And so you told him he was under  arrest. Did you tell him what for?  A. After the crime was observed, I exited  C. And where's the police desk?  A. Communicated to my partner that I desk.  C. And where's the police desk?  A. The police desk is located on the  A. Public lewdness.  A. Public lewdness.  A. Public lewdness.  A. Masturbating in public.  A. Masturbating in public.  A. Masturbating in public.  A. Because we were working as partners.  A. Because we were working as partners.  A. Do you always work with a partner?  A. No.  Page 141  Tone  2 Q. Okay.  And did you show him your badge?  A. Yes, I did.  A. Yes, I did.  A. Yes, I did.  A. Yes, I did.  A. Yes, he was handcuffed.  A. Yes, he was handcuffed.  A. Yes, he was handcuffed.  A. Yes, le was  A. Yes, lo did.  A. Yes, he was handcuffed.  A. Yes, lo did.  A. Yes, he was handcuffed.  A. Yes, he was handcuffed.  A. Yes, lo did.  A. Yes, he was handcuffed.  A. Yes, lo did.  A. Yes, lod.  A. A. Yes, lod.  A. A. Yes, lod.  A. Yes, lod.  A. Yes, lod.  A. Yes, lod.  A. A. Yes, lod.  A. Yes, lod.  A. Yes, lod.  A. A. Yes, lod.  A. A. Yes,				
1 Tone 2 Was the other man urinating, do you 3 know? 4 A. No, I do not know. 5 Q. And you're a few feet away from 6 Mr. Mejia. Is this the point where you arrested 7 him? 8 A. No. 9 Q. Okay. 10 So what happened next? 11 A. After the crime was observed, I exited 12 the bathroom. 13 Q. Okay. 14 A. Communicated to my partner that I 15 witnessed a crime. 16 Q. And which crime are we talking about 17 here? 18 A. Public lewdness. 19 Q. What specific act? 20 A. Masturbating in public. 21 Q. Was he also charged with exposure? 22 A. I don't have the paperwork in front of 23 Q. Okay. 3 And did you show him your badge? 4 A. Yes, I did. 5 Q. And did you handcuff him? 6 A. Yes, he was handcuffed. 7 Q. And so you told him he was under 8 arrest. Did you tell him what for? 9 A. It was explained to him that we would 10 explain it to him when we got back to the police desk?  12 Q. Okay.  13 A. The police desk is located on the  14 second level.  15 Q. Okay.  16 Was anyone besides Officer Kehoe with  20 you that day?  21 A. Because we were working as partners.  22 Q. Okay.  23 Do you always work with a partner?	25	you can't see the other man's penis.	25	A. He just stated, What did I do?
2 Was the other man urinating, do you 3 know? 4 A. No, I do not know. 5 Q. And you're a few feet away from 6 Mr. Mejia. Is this the point where you arrested 7 him? 8 A. No. 9 Q. Okay. 10 So what happened next? 11 A. After the crime was observed, I exited 12 the bathroom. 13 Q. Okay. 14 A. Communicated to my partner that I 15 witnessed a crime. 16 Q. And which crime are we talking about 17 here? 18 A. Public lewdness. 19 Q. What specific act? 20 A. Masturbating in public. 21 Q. Was he also charged with exposure? 22 A. I don't have the paperwork in front of 23 me. 20 Okay. 3 And did you show him your badge? 4 A. Yes, I did. 5 Q. And did you handcuff him? 6 A. Yes, he was handcuffed. 7 Q. And so you told him he was under 8 arrest. Did you tell him what for? 9 A. It was explained to him that we would 10 explain it to him when we got back to the police desk. 12 Q. And where's the police desk? 13 A. The police desk is located on the 14 second level. 15 Q. Okay. 16 Was anyone besides Officer Kehoe with 17 you? 18 A. No. 19 Q. Okay. And why was Officer Kehoe with 20 you that day? 21 A. Because we were working as partners. 22 Q. Okay. 23 Do you always work with a partner? 24 A. No.				
3 know? 4 A. No, I do not know. 5 Q. And you're a few feet away from 6 Mr. Mejia. Is this the point where you arrested 7 him? 8 A. No. 9 Q. Okay. 10 So what happened next? 11 A. After the crime was observed, I exited 12 the bathroom. 13 Q. Okay. 14 A. Communicated to my partner that I 15 witnessed a crime. 16 Q. And which crime are we talking about 17 here? 18 A. Public lewdness. 19 Q. What specific act? 10 Was he also charged with exposure? 21 Q. Was he also charged with exposure? 22 A. I don't have the paperwork in front of 23 me. 24 Q. Do you know if the other person saw his 24 A. Yes, I did. 26 A. Yes, he was handcuffed. 7 Q. And did you handcuff him? 6 A. Yes, he was handcuffed. 7 Q. And did you handcuff him? 6 A. Yes, he was handcuffed. 7 Q. And whe was under 8 arrest. Did you tell him what for? 9 A. It was explained to him that we would 10 explain it to him when we got back to the police desk. 11 desk. 12 Q. And where's the police desk? 13 A. The police desk is located on the 14 second level. 15 Q. Okay. 16 Was anyone besides Officer Kehoe with 17 you? 18 A. No. 19 Q. Okay. And why was Officer Kehoe with 20 you that day? 21 A. Because we were working as partners. 22 Q. Okay. 23 Do you always work with a partner? 24 A. No.				
4 A. No, I do not know. 5 Q. And you're a few feet away from 6 Mr. Mejia. Is this the point where you arrested 7 him? 8 A. No. 9 Q. Okay. 10 So what happened next? 11 A. After the crime was observed, I exited 12 the bathroom. 13 Q. Okay. 14 A. Communicated to my partner that I 15 witnessed a crime. 16 Q. And which crime are we talking about 17 here? 18 A. Public lewdness. 19 Q. What specific act? 10 Was he also charged with exposure? 21 Q. Was he also charged with exposure? 22 A. I don't have the paperwork in front of 23 me. 24 Q. Do you know if the other person saw his 24  A. Yes, I did. 5 Q. And did you handcuff him? 6 A. Yes, he was handcuffed. 7 Q. And so you told him he was under 8 arrest. Did you tell him what for? 9 A. It was explained to him that we would 10 explain it to him when we got back to the police elsek. 11 desk. 12 Q. And where's the police desk? 13 A. The police desk is located on the 14 second level. 15 Q. Okay. 16 Was anyone besides Officer Kehoe with 17 you? 18 A. No. 19 Q. Okay. And why was Officer Kehoe with 20 you that day? 21 A. Because we were working as partners. 22 Q. Okay. 23 Do you always work with a partner? 24 A. No.	1	Tone	1	Tone
5 Q. And you're a few feet away from 6 Mr. Mejia. Is this the point where you arrested 7 him? 8 A. No. 9 Q. Okay. 10 So what happened next? 11 A. After the crime was observed, I exited 12 the bathroom. 13 Q. Okay. 14 A. Communicated to my partner that I 15 witnessed a crime. 16 Q. And which crime are we talking about 17 here? 18 A. Public lewdness. 19 Q. What specific act? 10 Was he also charged with exposure? 21 Q. Was he also charged with exposure? 22 A. I don't have the paperwork in front of 23 me. 24 Q. Do you know if the other person saw his 24 A. No. 26 A. Yes, he was handcuff him? 27 Q. And did you handcuff him? 28 A. Yes, he was handcuffed. 7 Q. And so you told him he was under 8 arrest. Did you tell him what for? 9 A. It was explained to him that we would 10 explain it to him when we got back to the police desk. 11 desk. 12 Q. And where's the police desk? 13 A. The police desk is located on the 14 second level. 15 Q. Okay. 16 Was anyone besides Officer Kehoe with 17 you? 18 A. No. 19 Q. Okay. And why was Officer Kehoe with 20 you that day? 21 A. Because we were working as partners. 22 Q. Okay. 23 Do you always work with a partner? 24 A. No.	2	Tone Was the other man urinating, do you	2	Tone Q. Okay.
6 Mr. Mejia. Is this the point where you arrested 7 him?  8 A. No.  9 Q. Okay.  10 So what happened next?  11 A. After the crime was observed, I exited 12 the bathroom.  12 Under the police desk?  13 Q. Okay.  14 A. Communicated to my partner that I 15 witnessed a crime.  15 witnessed a crime.  16 Q. And which crime are we talking about 17 here?  18 A. Public lewdness.  19 Q. What specific act?  10 Q. Was he also charged with exposure?  11 A. Because we were working as partners.  12 Q. And where's the police desk?  13 A. The police desk is located on the 14 second level.  15 Q. Okay.  16 Was anyone besides Officer Kehoe with 17 you?  18 A. Public lewdness.  19 Q. Was he also charged with exposure?  20 A. I don't have the paperwork in front of 23 me.  21 Q. Do you know if the other person saw his 24 A. No.	2	Tone Was the other man urinating, do you know?	3	Tone Q. Okay. And did you show him your badge?
7 him?  8 A. No.  9 Q. Okay.  10 So what happened next?  11 A. After the crime was observed, I exited  12 the bathroom.  13 Q. Okay.  14 A. Communicated to my partner that I  15 witnessed a crime.  16 Q. And which crime are we talking about  17 here?  18 A. Public lewdness.  19 Q. What specific act?  20 A. Masturbating in public.  21 Q. Was he also charged with exposure?  22 A. I don't have the paperwork in front of  23 me.  20 Okay.  21 Q. And so you told him he was under  8 arrest. Did you tell him what for?  9 A. It was explained to him that we would  10 explain it to him when we got back to the police  11 desk.  12 Q. And where's the police desk?  13 A. The police desk is located on the  14 second level.  15 Q. Okay.  16 Was anyone besides Officer Kehoe with  17 you?  18 A. No.  19 Q. Okay. And why was Officer Kehoe with  20 you that day?  21 A. Because we were working as partners.  22 Q. Okay.  23 Do you always work with a partner?  24 A. No.	2 3	Tone Was the other man urinating, do you know? A. No, I do not know.	2 3 4	Tone Q. Okay. And did you show him your badge? A. Yes, I did.
8 A. No. 9 Q. Okay. 10 So what happened next? 11 A. After the crime was observed, I exited 12 the bathroom. 13 Q. Okay. 14 A. Communicated to my partner that I 15 witnessed a crime. 16 Q. And which crime are we talking about 17 here? 18 A. Public lewdness. 19 Q. What specific act? 20 A. Masturbating in public. 21 Q. Was he also charged with exposure? 22 A. I don't have the paperwork in front of 23 me. 24 Q. Do you know if the other person saw his 24  8 arrest. Did you tell him what for? 9 A. It was explained to him that we would 10 explain it to him when we got back to the police 11 desk. 12 Q. And where's the police desk? 13 A. The police desk is located on the 14 second level. 14 second level. 15 Q. Okay. 16 Was anyone besides Officer Kehoe with 17 you? 18 A. No. 19 Q. Okay. And why was Officer Kehoe with 20 you that day? 21 A. Because we were working as partners. 22 Q. Okay. 23 Do you always work with a partner? 24 A. No.	2 3 4 5	Tone Was the other man urinating, do you know? A. No, I do not know. Q. And you're a few feet away from	2 3 4 5	Tone Q. Okay. And did you show him your badge? A. Yes, I did. Q. And did you handcuff him?
9 Q. Okay. So what happened next? 11 A. After the crime was observed, I exited 12 the bathroom. 13 Q. Okay. 14 A. Communicated to my partner that I 15 witnessed a crime. 16 Q. And which crime are we talking about 17 here? 18 A. Public lewdness. 19 Q. What specific act? 20 A. Masturbating in public. 21 Q. Was he also charged with exposure? 22 A. I don't have the paperwork in front of 23 me. 24 Q. Do you know if the other person saw his 20 A. After the crime was observed, I exited 10 explain it to him when we got back to the police 11 desk. 12 Q. And where's the police desk? 13 A. The police desk is located on the 14 second level. 15 Q. Okay. 16 Was anyone besides Officer Kehoe with 17 you? 18 A. No. 19 Q. Okay. And why was Officer Kehoe with 20 you that day? 21 A. Because we were working as partners. 22 Q. Okay. 23 Do you always work with a partner? 24 A. No.	2 3 4 5 6	Tone Was the other man urinating, do you know? A. No, I do not know. Q. And you're a few feet away from Mr. Mejia. Is this the point where you arrested	2 3 4 5 6	Tone Q. Okay. And did you show him your badge? A. Yes, I did. Q. And did you handcuff him? A. Yes, he was handcuffed.
So what happened next?  A. After the crime was observed, I exited the bathroom.  Okay.  Communicated to my partner that I second level.  Was anyone besides Officer Kehoe with A. Public lewdness.  A. Public lewdness.  A. Public lewdness.  A. Public lewdness.  Okay.  A. And where's the police desk?  A. Do you know if the other person saw his  10 explain it to him when we got back to the police desk.  11 desk.  12 Q. And where's the police desk?  13 A. The police desk is located on the  14 second level.  15 Q. Okay.  Was anyone besides Officer Kehoe with  17 you?  18 A. No.  19 Q. Okay. And why was Officer Kehoe with  20 you that day?  21 A. Because we were working as partners.  22 Q. Okay.  Do you always work with a partner?  A. No.	2 3 4 5 6 7	Tone Was the other man urinating, do you know? A. No, I do not know. Q. And you're a few feet away from Mr. Mejia. Is this the point where you arrested him?	2 3 4 5 6 7	Tone Q. Okay. And did you show him your badge? A. Yes, I did. Q. And did you handcuff him? A. Yes, he was handcuffed. Q. And so you told him he was under
11 A. After the crime was observed, I exited 12 the bathroom. 13 Q. Okay. 14 A. Communicated to my partner that I 15 witnessed a crime. 16 Q. And which crime are we talking about 17 here? 18 A. Public lewdness. 19 Q. What specific act? 20 A. Masturbating in public. 21 Q. And where's the police desk? 13 A. The police desk is located on the 14 second level. 15 Q. Okay. 16 Was anyone besides Officer Kehoe with 17 you? 18 A. No. 19 Q. Okay. And why was Officer Kehoe with 20 you that day? 21 A. Because we were working as partners. 22 A. I don't have the paperwork in front of 23 me. 24 Q. Do you know if the other person saw his 24 A. No.	2 3 4 5 6 7 8	Tone Was the other man urinating, do you know? A. No, I do not know. Q. And you're a few feet away from Mr. Mejia. Is this the point where you arrested him? A. No.	2 3 4 5 6 7 8	Tone Q. Okay. And did you show him your badge? A. Yes, I did. Q. And did you handcuff him? A. Yes, he was handcuffed. Q. And so you told him he was under arrest. Did you tell him what for?
12 the bathroom.  13 Q. Okay.  14 A. Communicated to my partner that I  15 witnessed a crime.  16 Q. And which crime are we talking about 17 here?  18 A. Public lewdness.  19 Q. What specific act?  20 A. Masturbating in public.  21 Q. And where's the police desk?  13 A. The police desk is located on the  14 second level.  15 Q. Okay.  16 Was anyone besides Officer Kehoe with  17 you?  18 A. No.  19 Q. Okay. And why was Officer Kehoe with  20 you that day?  21 A. Because we were working as partners.  22 A. I don't have the paperwork in front of  23 Do you always work with a partner?  24 Q. Do you know if the other person saw his  24 A. No.	2 3 4 5 6 7 8 9	Tone Was the other man urinating, do you know? A. No, I do not know. Q. And you're a few feet away from Mr. Mejia. Is this the point where you arrested him? A. No. Q. Okay.	2 3 4 5 6 7 8 9	Tone Q. Okay. And did you show him your badge? A. Yes, I did. Q. And did you handcuff him? A. Yes, he was handcuffed. Q. And so you told him he was under arrest. Did you tell him what for? A. It was explained to him that we would
13 Q. Okay.  14 A. Communicated to my partner that I 15 witnessed a crime.  16 Q. And which crime are we talking about 17 here?  18 A. Public lewdness.  19 Q. What specific act?  20 A. Masturbating in public.  21 Q. Was he also charged with exposure?  22 A. I don't have the paperwork in front of  23 me.  24 Q. Do you know if the other person saw his  24 A. The police desk is located on the 14 second level.  15 Q. Okay.  Was anyone besides Officer Kehoe with 17 you?  18 A. No.  19 Q. Okay. And why was Officer Kehoe with 20 you that day?  21 A. Because we were working as partners.  22 Q. Okay.  Do you always work with a partner?  24 A. No.	2 3 4 5 6 7 8 9 10	Tone Was the other man urinating, do you know? A. No, I do not know. Q. And you're a few feet away from Mr. Mejia. Is this the point where you arrested him? A. No. Q. Okay. So what happened next?	2 3 4 5 6 7 8 9	Tone Q. Okay. And did you show him your badge? A. Yes, I did. Q. And did you handcuff him? A. Yes, he was handcuffed. Q. And so you told him he was under arrest. Did you tell him what for? A. It was explained to him that we would explain it to him when we got back to the police
14 A. Communicated to my partner that I 15 witnessed a crime. 16 Q. And which crime are we talking about 17 here? 18 A. Public lewdness. 19 Q. What specific act? 20 A. Masturbating in public. 21 Q. Was he also charged with exposure? 22 A. I don't have the paperwork in front of 23 me. 24 Q. Do you know if the other person saw his 24 A. Communicated to my partner that I 24 second level. 25 Q. Okay. 26 Was anyone besides Officer Kehoe with 27 you? 28 A. No. 29 Q. Okay. And why was Officer Kehoe with 29 you that day? 21 A. Because we were working as partners. 22 Q. Okay. 23 Do you always work with a partner? 24 A. No.	2 3 4 5 6 7 8 9 10	Tone Was the other man urinating, do you know? A. No, I do not know. Q. And you're a few feet away from Mr. Mejia. Is this the point where you arrested him? A. No. Q. Okay. So what happened next? A. After the crime was observed, I exited	2 3 4 5 6 7 8 9 10 11	Tone Q. Okay. And did you show him your badge? A. Yes, I did. Q. And did you handcuff him? A. Yes, he was handcuffed. Q. And so you told him he was under arrest. Did you tell him what for? A. It was explained to him that we would explain it to him when we got back to the police desk.
15 witnessed a crime.  16 Q. And which crime are we talking about 17 here?  18 A. Public lewdness. 19 Q. What specific act? 20 A. Masturbating in public. 21 Q. Was he also charged with exposure? 22 A. I don't have the paperwork in front of 23 me. 24 Q. Do you know if the other person saw his 26 Q. Okay. 27 Q. Okay. 28 Q. Okay. 29 Q. Okay. 20 Q. Okay. 20 Q. Okay. 20 Q. Okay. 21 A. Because we were working as partners. 22 Q. Okay. 23 Do you always work with a partner? 24 A. No.	2 3 4 5 6 7 8 9 10 11 12	Tone Was the other man urinating, do you know? A. No, I do not know. Q. And you're a few feet away from Mr. Mejia. Is this the point where you arrested him? A. No. Q. Okay. So what happened next? A. After the crime was observed, I exited the bathroom.	2 3 4 5 6 7 8 9 10 11 12	Tone Q. Okay. And did you show him your badge? A. Yes, I did. Q. And did you handcuff him? A. Yes, he was handcuffed. Q. And so you told him he was under arrest. Did you tell him what for? A. It was explained to him that we would explain it to him when we got back to the police desk. Q. And where's the police desk?
16 Q. And which crime are we talking about 17 here? 18 A. Public lewdness. 19 Q. What specific act? 19 Q. Was he also charged with exposure? 20 A. I don't have the paperwork in front of 21 Q. Do you know if the other person saw his 22 A. No. 23 me. 24 Q. Do you know if the other person saw his 26 Was anyone besides Officer Kehoe with 17 you? 18 A. No. 19 Q. Okay. And why was Officer Kehoe with 20 you that day? 21 A. Because we were working as partners. 22 Q. Okay. 23 Do you always work with a partner? 24 A. No.	2 3 4 5 6 7 8 9 10 11 12 13	Tone Was the other man urinating, do you know? A. No, I do not know. Q. And you're a few feet away from Mr. Mejia. Is this the point where you arrested him? A. No. Q. Okay. So what happened next? A. After the crime was observed, I exited the bathroom. Q. Okay.	2 3 4 5 6 7 8 9 10 11 12 13	Tone Q. Okay. And did you show him your badge? A. Yes, I did. Q. And did you handcuff him? A. Yes, he was handcuffed. Q. And so you told him he was under arrest. Did you tell him what for? A. It was explained to him that we would explain it to him when we got back to the police desk. Q. And where's the police desk? A. The police desk is located on the
17 here?  18 A. Public lewdness.  19 Q. What specific act?  20 A. Masturbating in public.  21 Q. Was he also charged with exposure?  22 A. I don't have the paperwork in front of  23 me.  24 Q. Do you know if the other person saw his  17 you?  18 A. No.  19 Q. Okay. And why was Officer Kehoe with  20 you that day?  21 A. Because we were working as partners.  22 Q. Okay.  23 Do you always work with a partner?  24 A. No.	2 3 4 5 6 7 8 9 10 11 12 13 14	Tone Was the other man urinating, do you know? A. No, I do not know. Q. And you're a few feet away from Mr. Mejia. Is this the point where you arrested him? A. No. Q. Okay. So what happened next? A. After the crime was observed, I exited the bathroom. Q. Okay. A. Communicated to my partner that I	2 3 4 5 6 7 8 9 10 11 12 13 14	Tone Q. Okay. And did you show him your badge? A. Yes, I did. Q. And did you handcuff him? A. Yes, he was handcuffed. Q. And so you told him he was under arrest. Did you tell him what for? A. It was explained to him that we would explain it to him when we got back to the police desk. Q. And where's the police desk? A. The police desk is located on the second level.
18A. Public lewdness.18A. No.19Q. What specific act?19Q. Okay. And why was Officer Kehoe with20A. Masturbating in public.20 you that day?21Q. Was he also charged with exposure?21A. Because we were working as partners.22A. I don't have the paperwork in front of22Q. Okay.23Do you always work with a partner?24Q. Do you know if the other person saw his24A. No.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Tone Was the other man urinating, do you know? A. No, I do not know. Q. And you're a few feet away from Mr. Mejia. Is this the point where you arrested him? A. No. Q. Okay. So what happened next? A. After the crime was observed, I exited the bathroom. Q. Okay. A. Communicated to my partner that I witnessed a crime.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Tone Q. Okay. And did you show him your badge? A. Yes, I did. Q. And did you handcuff him? A. Yes, he was handcuffed. Q. And so you told him he was under arrest. Did you tell him what for? A. It was explained to him that we would explain it to him when we got back to the police desk. Q. And where's the police desk? A. The police desk is located on the second level. Q. Okay.
19 Q. What specific act? 19 Q. Okay. And why was Officer Kehoe with 20 A. Masturbating in public. 21 Q. Was he also charged with exposure? 22 A. I don't have the paperwork in front of 23 me. 24 Q. Do you know if the other person saw his 25 A. No.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Tone Was the other man urinating, do you know? A. No, I do not know. Q. And you're a few feet away from Mr. Mejia. Is this the point where you arrested him? A. No. Q. Okay. So what happened next? A. After the crime was observed, I exited the bathroom. Q. Okay. A. Communicated to my partner that I witnessed a crime. Q. And which crime are we talking about	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Tone Q. Okay. And did you show him your badge? A. Yes, I did. Q. And did you handcuff him? A. Yes, he was handcuffed. Q. And so you told him he was under arrest. Did you tell him what for? A. It was explained to him that we would explain it to him when we got back to the police desk. Q. And where's the police desk? A. The police desk is located on the second level. Q. Okay. Was anyone besides Officer Kehoe with
20 A. Masturbating in public. 21 Q. Was he also charged with exposure? 22 A. I don't have the paperwork in front of 23 me. 24 Q. Do you know if the other person saw his 25 you that day? 26 you that day? 27 A. Because we were working as partners. 28 Q. Okay. 29 you that day? 20 you that day? 21 A. Because we were working as partners. 29 A. No.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Tone Was the other man urinating, do you know? A. No, I do not know. Q. And you're a few feet away from Mr. Mejia. Is this the point where you arrested him? A. No. Q. Okay. So what happened next? A. After the crime was observed, I exited the bathroom. Q. Okay. A. Communicated to my partner that I witnessed a crime. Q. And which crime are we talking about here?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Tone Q. Okay. And did you show him your badge? A. Yes, I did. Q. And did you handcuff him? A. Yes, he was handcuffed. Q. And so you told him he was under arrest. Did you tell him what for? A. It was explained to him that we would explain it to him when we got back to the police desk. Q. And where's the police desk? A. The police desk is located on the second level. Q. Okay. Was anyone besides Officer Kehoe with you?
<ul> <li>Q. Was he also charged with exposure?</li> <li>A. Because we were working as partners.</li> <li>A. Because we were working as partners.</li> <li>Q. Okay.</li> <li>Q. Do you know if the other person saw his</li> <li>A. Because we were working as partners.</li> <li>Q. Okay.</li> <li>Do you always work with a partner?</li> <li>A. No.</li> </ul>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Tone Was the other man urinating, do you know? A. No, I do not know. Q. And you're a few feet away from Mr. Mejia. Is this the point where you arrested him? A. No. Q. Okay. So what happened next? A. After the crime was observed, I exited the bathroom. Q. Okay. A. Communicated to my partner that I witnessed a crime. Q. And which crime are we talking about here? A. Public lewdness.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Tone Q. Okay. And did you show him your badge? A. Yes, I did. Q. And did you handcuff him? A. Yes, he was handcuffed. Q. And so you told him he was under arrest. Did you tell him what for? A. It was explained to him that we would explain it to him when we got back to the police desk. Q. And where's the police desk? A. The police desk is located on the second level. Q. Okay. Was anyone besides Officer Kehoe with you? A. No.
22 A. I don't have the paperwork in front of 22 Q. Okay. 23 me. 23 Do you know if the other person saw his 24 A. No.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Tone Was the other man urinating, do you know? A. No, I do not know. Q. And you're a few feet away from Mr. Mejia. Is this the point where you arrested him? A. No. Q. Okay. So what happened next? A. After the crime was observed, I exited the bathroom. Q. Okay. A. Communicated to my partner that I witnessed a crime. Q. And which crime are we talking about here? A. Public lewdness. Q. What specific act?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Tone Q. Okay. And did you show him your badge? A. Yes, I did. Q. And did you handcuff him? A. Yes, he was handcuffed. Q. And so you told him he was under arrest. Did you tell him what for? A. It was explained to him that we would explain it to him when we got back to the police desk. Q. And where's the police desk? A. The police desk is located on the second level. Q. Okay. Was anyone besides Officer Kehoe with you? A. No. Q. Okay. And why was Officer Kehoe with
23 me. 23 Do you always work with a partner? 24 Q. Do you know if the other person saw his 24 A. No.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Tone Was the other man urinating, do you know? A. No, I do not know. Q. And you're a few feet away from Mr. Mejia. Is this the point where you arrested him? A. No. Q. Okay. So what happened next? A. After the crime was observed, I exited the bathroom. Q. Okay. A. Communicated to my partner that I witnessed a crime. Q. And which crime are we talking about here? A. Public lewdness. Q. What specific act? A. Masturbating in public.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Tone Q. Okay. And did you show him your badge? A. Yes, I did. Q. And did you handcuff him? A. Yes, he was handcuffed. Q. And so you told him he was under arrest. Did you tell him what for? A. It was explained to him that we would explain it to him when we got back to the police desk. Q. And where's the police desk? A. The police desk is located on the second level. Q. Okay. Was anyone besides Officer Kehoe with you? A. No. Q. Okay. And why was Officer Kehoe with you that day?
Q. Do you know if the other person saw his 24 A. No.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Tone Was the other man urinating, do you know? A. No, I do not know. Q. And you're a few feet away from Mr. Mejia. Is this the point where you arrested him? A. No. Q. Okay. So what happened next? A. After the crime was observed, I exited the bathroom. Q. Okay. A. Communicated to my partner that I witnessed a crime. Q. And which crime are we talking about here? A. Public lewdness. Q. What specific act? A. Masturbating in public. Q. Was he also charged with exposure?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Tone Q. Okay. And did you show him your badge? A. Yes, I did. Q. And did you handcuff him? A. Yes, he was handcuffed. Q. And so you told him he was under arrest. Did you tell him what for? A. It was explained to him that we would explain it to him when we got back to the police desk. Q. And where's the police desk? A. The police desk is located on the second level. Q. Okay. Was anyone besides Officer Kehoe with you? A. No. Q. Okay. And why was Officer Kehoe with you that day? A. Because we were working as partners.
	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Tone Was the other man urinating, do you know? A. No, I do not know. Q. And you're a few feet away from Mr. Mejia. Is this the point where you arrested him? A. No. Q. Okay. So what happened next? A. After the crime was observed, I exited the bathroom. Q. Okay. A. Communicated to my partner that I witnessed a crime. Q. And which crime are we talking about here? A. Public lewdness. Q. What specific act? A. Masturbating in public. Q. Was he also charged with exposure? A. I don't have the paperwork in front of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Tone Q. Okay. And did you show him your badge? A. Yes, I did. Q. And did you handcuff him? A. Yes, he was handcuffed. Q. And so you told him he was under arrest. Did you tell him what for? A. It was explained to him that we would explain it to him when we got back to the police desk. Q. And where's the police desk? A. The police desk is located on the second level. Q. Okay. Was anyone besides Officer Kehoe with you? A. No. Q. Okay. And why was Officer Kehoe with you that day? A. Because we were working as partners. Q. Okay.
25 penis?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Tone Was the other man urinating, do you know? A. No, I do not know. Q. And you're a few feet away from Mr. Mejia. Is this the point where you arrested him? A. No. Q. Okay. So what happened next? A. After the crime was observed, I exited the bathroom. Q. Okay. A. Communicated to my partner that I witnessed a crime. Q. And which crime are we talking about here? A. Public lewdness. Q. What specific act? A. Masturbating in public. Q. Was he also charged with exposure? A. I don't have the paperwork in front of me.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Tone Q. Okay. And did you show him your badge? A. Yes, I did. Q. And did you handcuff him? A. Yes, he was handcuffed. Q. And so you told him he was under arrest. Did you tell him what for? A. It was explained to him that we would explain it to him when we got back to the police desk. Q. And where's the police desk? A. The police desk is located on the second level. Q. Okay. Was anyone besides Officer Kehoe with you? A. No. Q. Okay. And why was Officer Kehoe with you that day? A. Because we were working as partners. Q. Okay. Do you always work with a partner?
	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Tone Was the other man urinating, do you know? A. No, I do not know. Q. And you're a few feet away from Mr. Mejia. Is this the point where you arrested him? A. No. Q. Okay. So what happened next? A. After the crime was observed, I exited the bathroom. Q. Okay. A. Communicated to my partner that I witnessed a crime. Q. And which crime are we talking about here? A. Public lewdness. Q. What specific act? A. Masturbating in public. Q. Was he also charged with exposure? A. I don't have the paperwork in front of me. Q. Do you know if the other person saw his	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Tone Q. Okay. And did you show him your badge? A. Yes, I did. Q. And did you handcuff him? A. Yes, he was handcuffed. Q. And so you told him he was under arrest. Did you tell him what for? A. It was explained to him that we would explain it to him when we got back to the police desk. Q. And where's the police desk? A. The police desk is located on the second level. Q. Okay. Was anyone besides Officer Kehoe with you? A. No. Q. Okay. And why was Officer Kehoe with you that day? A. Because we were working as partners. Q. Okay. Do you always work with a partner? A. No.

	Page 158	Page 16
1	Tone	1 Tone
2	A. Yes.	2 Mr. Mejia?
3	Q. And do your partners typically take	3 A. No.
4	shift notes?	4 Q. Does it say arrest anywhere on these
5	A. Yes.	5 notes?
6	Q. And why do you take notes?	6 A. Yes.
7	A. To account for time throughout the day.	7 Q. Okay. Where is that at?
8	Q. Do you need to report your time to	8 A. For the following day.
9		9 Q. Okay.
10	A. Both?	So you took these notes for the
11	Q. Can you just read some of these notes	11 previous days?
	to me? So it says 7/8/14 at the top, Tuesday, bus	MR. BROPHY: Objection.
	terminal, tour post TPO. What does the third line	A. These notes are for two days.
	say?	14 Q. Oh, for two days. Oh, okay. Oh, 7/9
15	A. It says radio and meal.	15 here at the bottom. Gotcha. Sorry.
16	Q. Okay.	At what line are Mr. Mejia's arrest on
17	And then sergeant, tour commander, and	17 this?
	then I believe it says 1445 roll call?	18 A. Mr. Mejia's arrest would be on the line
19	A. Yes.	19 for 1630.
20	Q. So that means 2:45 you did your roll	20 Q. Okay. And can you read that line to 21 me?
$\begin{vmatrix} 21\\22\end{vmatrix}$	call, your shift started at 3? A. Yes.	
23	Q. And that shift was the TPU?	<ul> <li>A. 40 with a 16 to process arrest.</li> <li>Q. I'm going to switch to Exhibit 3</li> </ul>
24	A. Yes.	24 because it's a more legible copy. So you see here
25	Q. Okay.	25 on the first page it says on page 2385 Miguel
25		
1	Page 159 Tone	Page 16
1 2	Tone	1 Tone
2	Tone So then what does 1610, what does that	1 Tone 2 Mejia at the top and it says here he was arreste
	Tone So then what does 1610, what does that mean?	1 Tone
2 3	Tone So then what does 1610, what does that mean?	1 Tone 2 Mejia at the top and it says here he was arreste 3 for public lewdness and exposure of a person;
2 3 4	Tone So then what does 1610, what does that mean? A. That line means returning to the	Tone 2 Mejia at the top and it says here he was arreste 3 for public lewdness and exposure of a person; 4 that correct?
2 3 4 5 6	Tone So then what does 1610, what does that mean? A. That line means returning to the quarters with two arrests.	Tone  Mejia at the top and it says here he was arreste for public lewdness and exposure of a person; that correct?  A. Listed on this piece of paper are the
2 3 4 5 6	Tone So then what does 1610, what does that mean? A. That line means returning to the quarters with two arrests. Q. Okay. And what were those arrests, do	1 Tone 2 Mejia at the top and it says here he was arreste 3 for public lewdness and exposure of a person; 4 that correct? 5 A. Listed on this piece of paper are the 6 two penal charges that he was charged with.
2 3 4 5 6 7	Tone So then what does 1610, what does that mean? A. That line means returning to the quarters with two arrests. Q. Okay. And what were those arrests, do you know?	1 Tone 2 Mejia at the top and it says here he was arreste 3 for public lewdness and exposure of a person; 4 that correct? 5 A. Listed on this piece of paper are the 6 two penal charges that he was charged with. 7 Q. And on the next page it spells them
2 3 4 5 6 7 8 9	Tone So then what does 1610, what does that mean? A. That line means returning to the quarters with two arrests. Q. Okay. And what were those arrests, do you know? A. No, I do not. Q. Then at I believe it says 2000 MTS for PETS something. What does that say?	Tone  Mejia at the top and it says here he was arreste for public lewdness and exposure of a person; that correct?  A. Listed on this piece of paper are the two penal charges that he was charged with.  Q. And on the next page it spells them out, what those numbers mean, on 2386?
2 3 4 5 6 7 8 9 10	Tone So then what does 1610, what does that mean? A. That line means returning to the quarters with two arrests. Q. Okay. And what were those arrests, do you know? A. No, I do not. Q. Then at I believe it says 2000 MTS for PETS something. What does that say? A. That stands for midtown south precinct	Tone  Mejia at the top and it says here he was arreste for public lewdness and exposure of a person; that correct?  A. Listed on this piece of paper are the two penal charges that he was charged with.  Q. And on the next page it spells them out, what those numbers mean, on 2386?  A. Yes.
2 3 4 5 6 7 8 9 10 11 12	Tone So then what does 1610, what does that mean? A. That line means returning to the quarters with two arrests. Q. Okay. And what were those arrests, do you know? A. No, I do not. Q. Then at I believe it says 2000 MTS for PETS something. What does that say? A. That stands for midtown south precinct for the NYPD. PETS is the system they use for	1 Tone 2 Mejia at the top and it says here he was arreste 3 for public lewdness and exposure of a person; 4 that correct? 5 A. Listed on this piece of paper are the 6 two penal charges that he was charged with. 7 Q. And on the next page it spells them 8 out, what those numbers mean, on 2386? 9 A. Yes. 10 Q. Now, on page 2387 in Box 83, there's 11 additional details description. Did you write 12 that?
2 3 4 5 6 7 8 9 10 11 12 13	Tone So then what does 1610, what does that mean? A. That line means returning to the quarters with two arrests. Q. Okay. And what were those arrests, do you know? A. No, I do not. Q. Then at I believe it says 2000 MTS for PETS something. What does that say? A. That stands for midtown south precinct for the NYPD. PETS is the system they use for vouchering narcotics, among other things.	1 Tone 2 Mejia at the top and it says here he was arreste 3 for public lewdness and exposure of a person; 4 that correct? 5 A. Listed on this piece of paper are the 6 two penal charges that he was charged with. 7 Q. And on the next page it spells them 8 out, what those numbers mean, on 2386? 9 A. Yes. 10 Q. Now, on page 2387 in Box 83, there's 11 additional details description. Did you write 12 that? 13 A. Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14	Tone So then what does 1610, what does that mean? A. That line means returning to the quarters with two arrests. Q. Okay. And what were those arrests, do you know? A. No, I do not. Q. Then at I believe it says 2000 MTS for PETS something. What does that say? A. That stands for midtown south precinct for the NYPD. PETS is the system they use for vouchering narcotics, among other things. Q. Okay.	1 Tone 2 Mejia at the top and it says here he was arreste 3 for public lewdness and exposure of a person; 4 that correct? 5 A. Listed on this piece of paper are the 6 two penal charges that he was charged with. 7 Q. And on the next page it spells them 8 out, what those numbers mean, on 2386? 9 A. Yes. 10 Q. Now, on page 2387 in Box 83, there's 11 additional details description. Did you write 12 that? 13 A. Yes. 14 Q. And how did you know what to write it
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Tone So then what does 1610, what does that mean? A. That line means returning to the quarters with two arrests. Q. Okay. And what were those arrests, do you know? A. No, I do not. Q. Then at I believe it says 2000 MTS for PETS something. What does that say? A. That stands for midtown south precinct for the NYPD. PETS is the system they use for vouchering narcotics, among other things. Q. Okay. It says for PETS voucher?	1 Tone 2 Mejia at the top and it says here he was arreste 3 for public lewdness and exposure of a person; 4 that correct? 5 A. Listed on this piece of paper are the 6 two penal charges that he was charged with. 7 Q. And on the next page it spells them 8 out, what those numbers mean, on 2386? 9 A. Yes. 10 Q. Now, on page 2387 in Box 83, there's 11 additional details description. Did you write 12 that? 13 A. Yes. 14 Q. And how did you know what to write i 15 this box?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Tone So then what does 1610, what does that mean? A. That line means returning to the quarters with two arrests. Q. Okay. And what were those arrests, do you know? A. No, I do not. Q. Then at I believe it says 2000 MTS for PETS something. What does that say? A. That stands for midtown south precinct for the NYPD. PETS is the system they use for vouchering narcotics, among other things. Q. Okay. It says for PETS voucher? A. Yes.	1 Tone 2 Mejia at the top and it says here he was arreste 3 for public lewdness and exposure of a person; 4 that correct? 5 A. Listed on this piece of paper are the 6 two penal charges that he was charged with. 7 Q. And on the next page it spells them 8 out, what those numbers mean, on 2386? 9 A. Yes. 10 Q. Now, on page 2387 in Box 83, there's 11 additional details description. Did you write 12 that? 13 A. Yes. 14 Q. And how did you know what to write it 15 this box? 16 A. The narrative, you're talking about?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Tone So then what does 1610, what does that mean? A. That line means returning to the quarters with two arrests. Q. Okay. And what were those arrests, do you know? A. No, I do not. Q. Then at I believe it says 2000 MTS for PETS something. What does that say? A. That stands for midtown south precinct for the NYPD. PETS is the system they use for vouchering narcotics, among other things. Q. Okay. It says for PETS voucher? A. Yes. Q. Does that mean at that time you	1 Tone 2 Mejia at the top and it says here he was arreste 3 for public lewdness and exposure of a person; 4 that correct? 5 A. Listed on this piece of paper are the 6 two penal charges that he was charged with. 7 Q. And on the next page it spells them 8 out, what those numbers mean, on 2386? 9 A. Yes. 10 Q. Now, on page 2387 in Box 83, there's 11 additional details description. Did you write 12 that? 13 A. Yes. 14 Q. And how did you know what to write it 15 this box? 16 A. The narrative, you're talking about? 17 Q. Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Tone So then what does 1610, what does that mean? A. That line means returning to the quarters with two arrests. Q. Okay. And what were those arrests, do you know? A. No, I do not. Q. Then at I believe it says 2000 MTS for PETS something. What does that say? A. That stands for midtown south precinct for the NYPD. PETS is the system they use for vouchering narcotics, among other things. Q. Okay. It says for PETS voucher? A. Yes. Q. Does that mean at that time you arrested someone for narcotics?	1 Tone 2 Mejia at the top and it says here he was arreste 3 for public lewdness and exposure of a person; 4 that correct? 5 A. Listed on this piece of paper are the 6 two penal charges that he was charged with. 7 Q. And on the next page it spells them 8 out, what those numbers mean, on 2386? 9 A. Yes. 10 Q. Now, on page 2387 in Box 83, there's 11 additional details description. Did you write 12 that? 13 A. Yes. 14 Q. And how did you know what to write i 15 this box? 16 A. The narrative, you're talking about? 17 Q. Yes. 18 A. It was explained to us that there was a
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Tone So then what does 1610, what does that mean? A. That line means returning to the quarters with two arrests. Q. Okay. And what were those arrests, do you know? A. No, I do not. Q. Then at I believe it says 2000 MTS for PETS something. What does that say? A. That stands for midtown south precinct for the NYPD. PETS is the system they use for vouchering narcotics, among other things. Q. Okay. It says for PETS voucher? A. Yes. Q. Does that mean at that time you arrested someone for narcotics? A. That just means something needed to go	1 Tone 2 Mejia at the top and it says here he was arreste 3 for public lewdness and exposure of a person; 4 that correct? 5 A. Listed on this piece of paper are the 6 two penal charges that he was charged with. 7 Q. And on the next page it spells them 8 out, what those numbers mean, on 2386? 9 A. Yes. 10 Q. Now, on page 2387 in Box 83, there's 11 additional details description. Did you write 12 that? 13 A. Yes. 14 Q. And how did you know what to write i 15 this box? 16 A. The narrative, you're talking about? 17 Q. Yes. 18 A. It was explained to us that there was a 19 specific narrative that the ADAs like to have or
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Tone So then what does 1610, what does that mean? A. That line means returning to the quarters with two arrests. Q. Okay. And what were those arrests, do you know? A. No, I do not. Q. Then at I believe it says 2000 MTS for PETS something. What does that say? A. That stands for midtown south precinct for the NYPD. PETS is the system they use for vouchering narcotics, among other things. Q. Okay. It says for PETS voucher? A. Yes. Q. Does that mean at that time you arrested someone for narcotics? A. That just means something needed to go down and be vouchered.	1 Tone 2 Mejia at the top and it says here he was arreste 3 for public lewdness and exposure of a person; 4 that correct? 5 A. Listed on this piece of paper are the 6 two penal charges that he was charged with. 7 Q. And on the next page it spells them 8 out, what those numbers mean, on 2386? 9 A. Yes. 10 Q. Now, on page 2387 in Box 83, there's 11 additional details description. Did you write 12 that? 13 A. Yes. 14 Q. And how did you know what to write i 15 this box? 16 A. The narrative, you're talking about? 17 Q. Yes. 18 A. It was explained to us that there was a 19 specific narrative that the ADAs like to have of 20 their paperwork.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Tone So then what does 1610, what does that mean? A. That line means returning to the quarters with two arrests. Q. Okay. And what were those arrests, do you know? A. No, I do not. Q. Then at I believe it says 2000 MTS for PETS something. What does that say? A. That stands for midtown south precinct for the NYPD. PETS is the system they use for vouchering narcotics, among other things. Q. Okay. It says for PETS voucher? A. Yes. Q. Does that mean at that time you arrested someone for narcotics? A. That just means something needed to go down and be vouchered. Q. Okay. Then at 2100.	1 Tone 2 Mejia at the top and it says here he was arreste 3 for public lewdness and exposure of a person; 4 that correct? 5 A. Listed on this piece of paper are the 6 two penal charges that he was charged with. 7 Q. And on the next page it spells them 8 out, what those numbers mean, on 2386? 9 A. Yes. 10 Q. Now, on page 2387 in Box 83, there's 11 additional details description. Did you write 12 that? 13 A. Yes. 14 Q. And how did you know what to write i 15 this box? 16 A. The narrative, you're talking about? 17 Q. Yes. 18 A. It was explained to us that there was a 19 specific narrative that the ADAs like to have or 20 their paperwork. 21 Q. So how?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Tone So then what does 1610, what does that mean? A. That line means returning to the quarters with two arrests. Q. Okay. And what were those arrests, do you know? A. No, I do not. Q. Then at I believe it says 2000 MTS for PETS something. What does that say? A. That stands for midtown south precinct for the NYPD. PETS is the system they use for vouchering narcotics, among other things. Q. Okay. It says for PETS voucher? A. Yes. Q. Does that mean at that time you arrested someone for narcotics? A. That just means something needed to go down and be vouchered. Q. Okay. Then at 2100. A. Return to quarters for paperwork.	1 Tone 2 Mejia at the top and it says here he was arreste 3 for public lewdness and exposure of a person; 4 that correct? 5 A. Listed on this piece of paper are the 6 two penal charges that he was charged with. 7 Q. And on the next page it spells them 8 out, what those numbers mean, on 2386? 9 A. Yes. 10 Q. Now, on page 2387 in Box 83, there's 11 additional details description. Did you write 12 that? 13 A. Yes. 14 Q. And how did you know what to write i 15 this box? 16 A. The narrative, you're talking about? 17 Q. Yes. 18 A. It was explained to us that there was a 19 specific narrative that the ADAs like to have or 20 their paperwork. 21 Q. So how? 22 A. Specific wording.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Tone So then what does 1610, what does that mean? A. That line means returning to the quarters with two arrests. Q. Okay. And what were those arrests, do you know? A. No, I do not. Q. Then at I believe it says 2000 MTS for PETS something. What does that say? A. That stands for midtown south precinct for the NYPD. PETS is the system they use for vouchering narcotics, among other things. Q. Okay. It says for PETS voucher? A. Yes. Q. Does that mean at that time you arrested someone for narcotics? A. That just means something needed to go down and be vouchered. Q. Okay. Then at 2100. A. Return to quarters for paperwork. Q. Okay. And 2300?	1 Tone 2 Mejia at the top and it says here he was arreste 3 for public lewdness and exposure of a person; 4 that correct? 5 A. Listed on this piece of paper are the 6 two penal charges that he was charged with. 7 Q. And on the next page it spells them 8 out, what those numbers mean, on 2386? 9 A. Yes. 10 Q. Now, on page 2387 in Box 83, there's 11 additional details description. Did you write 12 that? 13 A. Yes. 14 Q. And how did you know what to write i 15 this box? 16 A. The narrative, you're talking about? 17 Q. Yes. 18 A. It was explained to us that there was a 19 specific narrative that the ADAs like to have or 20 their paperwork. 21 Q. So how? 22 A. Specific wording. 23 Q. Okay.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Tone So then what does 1610, what does that mean? A. That line means returning to the quarters with two arrests. Q. Okay. And what were those arrests, do you know? A. No, I do not. Q. Then at I believe it says 2000 MTS for PETS something. What does that say? A. That stands for midtown south precinct for the NYPD. PETS is the system they use for vouchering narcotics, among other things. Q. Okay. It says for PETS voucher? A. Yes. Q. Does that mean at that time you arrested someone for narcotics? A. That just means something needed to go down and be vouchered. Q. Okay. Then at 2100. A. Return to quarters for paperwork.	1 Tone 2 Mejia at the top and it says here he was arreste 3 for public lewdness and exposure of a person; 4 that correct? 5 A. Listed on this piece of paper are the 6 two penal charges that he was charged with. 7 Q. And on the next page it spells them 8 out, what those numbers mean, on 2386? 9 A. Yes. 10 Q. Now, on page 2387 in Box 83, there's 11 additional details description. Did you write 12 that? 13 A. Yes. 14 Q. And how did you know what to write i 15 this box? 16 A. The narrative, you're talking about? 17 Q. Yes. 18 A. It was explained to us that there was a 19 specific narrative that the ADAs like to have or 20 their paperwork. 21 Q. So how? 22 A. Specific wording.

	Page 170		Page 172
1	Tone	1	Tone
2	MR. McNEELY: We'll call this Exhibit	2	MR. McNEELY: Oh, no, it's only the
3	4.	3	first day that he testified.
4	(Tone Exhibit 4, transcript of trial	4	MR. BROPHY: Right.
5	testimony dated 11/17/14, marked for	5	MR. McNEELY: Officer Kehoe's testimony
6	identification.)	6	is not there.
7	Q. And this is a transcript of your prior	7	MR. BROPHY: For the record, just so
8	trial testimony.	8	that it's clear it's only for November 17th,
9	Do you recall making statements under	9	2014. And it appears to be only Officer
10	oath at your trial?	10	Tone's testimony; is that correct?
11	A. Yes.	11	MR. McNEELY: No, the front part should
12	Q. Do you recall on that day testifying	12	have other testimony.
13	that you were patrolling with Officer Kehoe?	13	MR. BROPHY: Okay. It looks like there
14	A. Yes.	14	
15	Q. So why was that detail omitted from	15	Officer Tone's testimony; is that correct?
1	your report that was in Exhibit 3?	16	MR. McNEELY: I believe that's correct.
17	A. It was not put in because it wasn't	17	It's the full first-day transcript.
	relevant at that time.	18	MR. BROPHY: Thank you.
19	Q. How was it not relevant?	19	` '
20	A. I was the individual that placed him	20	1 6 6
	under arrest.	21	identification.)
22	Q. Okay.	22	Q. So we're in Exhibit 5 so this is
23	Do you recall testifying at this trial		Exhibit 5. It's arrest record number 14B306
1	that Mr. Mejia exposed his penis to another		starting on 2177. And if you turn to page 2178, I
25	restroom patron and masturbated towards him?	25	believe you'll see your name under "arresting
		_	
	Page 171		Page 173
1	Tone	1	Tone
2	Tone A. Yes.	2	Tone officer"; is that correct?
2 3	Tone A. Yes. Q. So why did you omit that from the	2 3	Tone officer"; is that correct? A. Yes, that is correct.
2 3 4	Tone A. Yes. Q. So why did you omit that from the report?	2 3 4	Tone officer"; is that correct? A. Yes, that is correct. Q. At the bottom next to your signature?
2 3 4 5	Tone A. Yes. Q. So why did you omit that from the report? A. I think that I omitted details from the	2 3 4 5	Tone officer"; is that correct? A. Yes, that is correct. Q. At the bottom next to your signature? A. Yes.
2 3 4 5 6	Tone A. Yes. Q. So why did you omit that from the report? A. I think that I omitted details from the report because I was a new officer, I was	2 3 4 5 6	Tone officer"; is that correct? A. Yes, that is correct. Q. At the bottom next to your signature? A. Yes. Q. And then can you tell me who the tour
2 3 4 5 6 7	Tone A. Yes. Q. So why did you omit that from the report? A. I think that I omitted details from the report because I was a new officer, I was inexperienced. Having the chance to do it now, I	2 3 4 5 6 7	Tone officer"; is that correct? A. Yes, that is correct. Q. At the bottom next to your signature? A. Yes. Q. And then can you tell me who the tour commander is there at the bottom?
2 3 4 5 6 7 8	Tone A. Yes. Q. So why did you omit that from the report? A. I think that I omitted details from the report because I was a new officer, I was inexperienced. Having the chance to do it now, I would do it differently.	2 3 4 5 6 7 8	Tone officer"; is that correct? A. Yes, that is correct. Q. At the bottom next to your signature? A. Yes. Q. And then can you tell me who the tour commander is there at the bottom? A. No, I cannot.
2 3 4 5 6 7 8 9	Tone A. Yes. Q. So why did you omit that from the report? A. I think that I omitted details from the report because I was a new officer, I was inexperienced. Having the chance to do it now, I would do it differently. Q. So you weren't trained in terms of how	2 3 4 5 6 7 8 9	Tone officer"; is that correct? A. Yes, that is correct. Q. At the bottom next to your signature? A. Yes. Q. And then can you tell me who the tour commander is there at the bottom? A. No, I cannot. Q. And then at the top in Box 13, you will
2 3 4 5 6 7 8 9	A. Yes. Q. So why did you omit that from the report? A. I think that I omitted details from the report because I was a new officer, I was inexperienced. Having the chance to do it now, I would do it differently. Q. So you weren't trained in terms of how to fill out paperwork for lewdness prior to this	2 3 4 5 6 7 8 9	Tone officer"; is that correct? A. Yes, that is correct. Q. At the bottom next to your signature? A. Yes. Q. And then can you tell me who the tour commander is there at the bottom? A. No, I cannot. Q. And then at the top in Box 13, you will see the time of the occurrence. I believe it says
2 3 4 5 6 7 8 9 10	A. Yes. Q. So why did you omit that from the report? A. I think that I omitted details from the report because I was a new officer, I was inexperienced. Having the chance to do it now, I would do it differently. Q. So you weren't trained in terms of how to fill out paperwork for lewdness prior to this incident?	2 3 4 5 6 7 8 9 10	Tone officer"; is that correct? A. Yes, that is correct. Q. At the bottom next to your signature? A. Yes. Q. And then can you tell me who the tour commander is there at the bottom? A. No, I cannot. Q. And then at the top in Box 13, you will see the time of the occurrence. I believe it says 1610 to 1615.
2 3 4 5 6 7 8 9 10 11 12	A. Yes. Q. So why did you omit that from the report? A. I think that I omitted details from the report because I was a new officer, I was inexperienced. Having the chance to do it now, I would do it differently. Q. So you weren't trained in terms of how to fill out paperwork for lewdness prior to this incident?  MR. BROPHY: Note my objection.	2 3 4 5 6 7 8 9 10 11 12	Tone officer"; is that correct? A. Yes, that is correct. Q. At the bottom next to your signature? A. Yes. Q. And then can you tell me who the tour commander is there at the bottom? A. No, I cannot. Q. And then at the top in Box 13, you will see the time of the occurrence. I believe it says 1610 to 1615. A. Yes.
2 3 4 5 6 7 8 9 10 11 12 13	A. Yes. Q. So why did you omit that from the report? A. I think that I omitted details from the report because I was a new officer, I was inexperienced. Having the chance to do it now, I would do it differently. Q. So you weren't trained in terms of how to fill out paperwork for lewdness prior to this incident?  MR. BROPHY: Note my objection. You can answer.	2 3 4 5 6 7 8 9 10 11 12 13	Tone officer"; is that correct? A. Yes, that is correct. Q. At the bottom next to your signature? A. Yes. Q. And then can you tell me who the tour commander is there at the bottom? A. No, I cannot. Q. And then at the top in Box 13, you will see the time of the occurrence. I believe it says 1610 to 1615. A. Yes. Q. So 4:10 to 4:15.
2 3 4 5 6 7 8 9 10 11 12 13 14	A. Yes. Q. So why did you omit that from the report? A. I think that I omitted details from the report because I was a new officer, I was inexperienced. Having the chance to do it now, I would do it differently. Q. So you weren't trained in terms of how to fill out paperwork for lewdness prior to this incident?  MR. BROPHY: Note my objection. You can answer. A. No, I was not trained.	2 3 4 5 6 7 8 9 10 11 12 13 14	Tone officer"; is that correct?  A. Yes, that is correct. Q. At the bottom next to your signature? A. Yes. Q. And then can you tell me who the tour commander is there at the bottom? A. No, I cannot. Q. And then at the top in Box 13, you will see the time of the occurrence. I believe it says 1610 to 1615. A. Yes. Q. So 4:10 to 4:15. So what does that signify? Is
2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. Yes. Q. So why did you omit that from the report? A. I think that I omitted details from the report because I was a new officer, I was inexperienced. Having the chance to do it now, I would do it differently. Q. So you weren't trained in terms of how to fill out paperwork for lewdness prior to this incident?  MR. BROPHY: Note my objection. You can answer. A. No, I was not trained. Q. Are there any other pertinent details	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Tone officer"; is that correct? A. Yes, that is correct. Q. At the bottom next to your signature? A. Yes. Q. And then can you tell me who the tour commander is there at the bottom? A. No, I cannot. Q. And then at the top in Box 13, you will see the time of the occurrence. I believe it says 1610 to 1615. A. Yes. Q. So 4:10 to 4:15. So what does that signify? Is when you observed or when you entered the bathroom
2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. Yes. Q. So why did you omit that from the report? A. I think that I omitted details from the report because I was a new officer, I was inexperienced. Having the chance to do it now, I would do it differently. Q. So you weren't trained in terms of how to fill out paperwork for lewdness prior to this incident?  MR. BROPHY: Note my objection. You can answer. A. No, I was not trained. Q. Are there any other pertinent details you recall from Mr. Miguel Mejia's arrest that are	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Tone officer"; is that correct? A. Yes, that is correct. Q. At the bottom next to your signature? A. Yes. Q. And then can you tell me who the tour commander is there at the bottom? A. No, I cannot. Q. And then at the top in Box 13, you will see the time of the occurrence. I believe it says 1610 to 1615. A. Yes. Q. So 4:10 to 4:15. So what does that signify? Is when you observed or when you entered the bathroom or and what happened at 4:15? Is that when the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. Yes. Q. So why did you omit that from the report? A. I think that I omitted details from the report because I was a new officer, I was inexperienced. Having the chance to do it now, I would do it differently. Q. So you weren't trained in terms of how to fill out paperwork for lewdness prior to this incident?  MR. BROPHY: Note my objection. You can answer. A. No, I was not trained. Q. Are there any other pertinent details you recall from Mr. Miguel Mejia's arrest that are omitted either intentionally or unintentionally	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Tone officer"; is that correct? A. Yes, that is correct. Q. At the bottom next to your signature? A. Yes. Q. And then can you tell me who the tour commander is there at the bottom? A. No, I cannot. Q. And then at the top in Box 13, you will see the time of the occurrence. I believe it says 1610 to 1615. A. Yes. Q. So 4:10 to 4:15. So what does that signify? Is when you observed or when you entered the bathroom or and what happened at 4:15? Is that when the arrest was made or when they were taken to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. Yes. Q. So why did you omit that from the report? A. I think that I omitted details from the report because I was a new officer, I was inexperienced. Having the chance to do it now, I would do it differently. Q. So you weren't trained in terms of how to fill out paperwork for lewdness prior to this incident?  MR. BROPHY: Note my objection. You can answer. A. No, I was not trained. Q. Are there any other pertinent details you recall from Mr. Miguel Mejia's arrest that are omitted either intentionally or unintentionally from the paperwork?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Tone officer"; is that correct? A. Yes, that is correct. Q. At the bottom next to your signature? A. Yes. Q. And then can you tell me who the tour commander is there at the bottom? A. No, I cannot. Q. And then at the top in Box 13, you will see the time of the occurrence. I believe it says 1610 to 1615. A. Yes. Q. So 4:10 to 4:15. So what does that signify? Is when you observed or when you entered the bathroom or and what happened at 4:15? Is that when the arrest was made or when they were taken to precinct, or is that how long you observed the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Yes. Q. So why did you omit that from the report? A. I think that I omitted details from the report because I was a new officer, I was inexperienced. Having the chance to do it now, I would do it differently. Q. So you weren't trained in terms of how to fill out paperwork for lewdness prior to this incident?  MR. BROPHY: Note my objection. You can answer. A. No, I was not trained. Q. Are there any other pertinent details you recall from Mr. Miguel Mejia's arrest that are omitted either intentionally or unintentionally	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Tone officer"; is that correct? A. Yes, that is correct. Q. At the bottom next to your signature? A. Yes. Q. And then can you tell me who the tour commander is there at the bottom? A. No, I cannot. Q. And then at the top in Box 13, you will see the time of the occurrence. I believe it says 1610 to 1615. A. Yes. Q. So 4:10 to 4:15. So what does that signify? Is when you observed or when you entered the bathroom or and what happened at 4:15? Is that when the arrest was made or when they were taken to precinct, or is that how long you observed the conduct? I'm just curious for my own benefit.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A. Yes. Q. So why did you omit that from the report? A. I think that I omitted details from the report because I was a new officer, I was inexperienced. Having the chance to do it now, I would do it differently. Q. So you weren't trained in terms of how to fill out paperwork for lewdness prior to this incident?  MR. BROPHY: Note my objection. You can answer. A. No, I was not trained. Q. Are there any other pertinent details you recall from Mr. Miguel Mejia's arrest that are omitted either intentionally or unintentionally from the paperwork?  MR. BROPHY: Note my objection. A. No.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Tone officer"; is that correct? A. Yes, that is correct. Q. At the bottom next to your signature? A. Yes. Q. And then can you tell me who the tour commander is there at the bottom? A. No, I cannot. Q. And then at the top in Box 13, you will see the time of the occurrence. I believe it says 1610 to 1615. A. Yes. Q. So 4:10 to 4:15. So what does that signify? Is when you observed or when you entered the bathroom or and what happened at 4:15? Is that when the arrest was made or when they were taken to precinct, or is that how long you observed the conduct? I'm just curious for my own benefit.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. Yes. Q. So why did you omit that from the report? A. I think that I omitted details from the report because I was a new officer, I was inexperienced. Having the chance to do it now, I would do it differently. Q. So you weren't trained in terms of how to fill out paperwork for lewdness prior to this incident?  MR. BROPHY: Note my objection. You can answer. A. No, I was not trained. Q. Are there any other pertinent details you recall from Mr. Miguel Mejia's arrest that are omitted either intentionally or unintentionally from the paperwork?  MR. BROPHY: Note my objection.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Tone officer"; is that correct? A. Yes, that is correct. Q. At the bottom next to your signature? A. Yes. Q. And then can you tell me who the tour commander is there at the bottom? A. No, I cannot. Q. And then at the top in Box 13, you will see the time of the occurrence. I believe it says 1610 to 1615. A. Yes. Q. So 4:10 to 4:15. So what does that signify? Is when you observed or when you entered the bathroom or and what happened at 4:15? Is that when the arrest was made or when they were taken to precinct, or is that how long you observed the conduct? I'm just curious for my own benefit. A. Well, without reviewing the document,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Yes. Q. So why did you omit that from the report? A. I think that I omitted details from the report because I was a new officer, I was inexperienced. Having the chance to do it now, I would do it differently. Q. So you weren't trained in terms of how to fill out paperwork for lewdness prior to this incident?  MR. BROPHY: Note my objection. You can answer. A. No, I was not trained. Q. Are there any other pertinent details you recall from Mr. Miguel Mejia's arrest that are omitted either intentionally or unintentionally from the paperwork?  MR. BROPHY: Note my objection. A. No. Q. I'm going to hand you Exhibit 5.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Tone officer"; is that correct? A. Yes, that is correct. Q. At the bottom next to your signature? A. Yes. Q. And then can you tell me who the tour commander is there at the bottom? A. No, I cannot. Q. And then at the top in Box 13, you will see the time of the occurrence. I believe it says 1610 to 1615. A. Yes. Q. So 4:10 to 4:15. So what does that signify? Is when you observed or when you entered the bathroom or and what happened at 4:15? Is that when the arrest was made or when they were taken to precinct, or is that how long you observed the conduct? I'm just curious for my own benefit. A. Well, without reviewing the document, that time could be from the initial observation.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Yes. Q. So why did you omit that from the report? A. I think that I omitted details from the report because I was a new officer, I was inexperienced. Having the chance to do it now, I would do it differently. Q. So you weren't trained in terms of how to fill out paperwork for lewdness prior to this incident?  MR. BROPHY: Note my objection. You can answer. A. No, I was not trained. Q. Are there any other pertinent details you recall from Mr. Miguel Mejia's arrest that are omitted either intentionally or unintentionally from the paperwork?  MR. BROPHY: Note my objection. A. No. Q. I'm going to hand you Exhibit 5. MR. BROPHY: Counsel, for the record,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Tone officer"; is that correct? A. Yes, that is correct. Q. At the bottom next to your signature? A. Yes. Q. And then can you tell me who the tour commander is there at the bottom? A. No, I cannot. Q. And then at the top in Box 13, you will see the time of the occurrence. I believe it says 1610 to 1615. A. Yes. Q. So 4:10 to 4:15. So what does that signify? Is when you observed or when you entered the bathroom or and what happened at 4:15? Is that when the arrest was made or when they were taken to precinct, or is that how long you observed the conduct? I'm just curious for my own benefit. A. Well, without reviewing the document, that time could be from the initial observation. Q. To what?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Yes. Q. So why did you omit that from the report? A. I think that I omitted details from the report because I was a new officer, I was inexperienced. Having the chance to do it now, I would do it differently. Q. So you weren't trained in terms of how to fill out paperwork for lewdness prior to this incident?  MR. BROPHY: Note my objection. You can answer. A. No, I was not trained. Q. Are there any other pertinent details you recall from Mr. Miguel Mejia's arrest that are omitted either intentionally or unintentionally from the paperwork?  MR. BROPHY: Note my objection. A. No. Q. I'm going to hand you Exhibit 5. MR. BROPHY: Counsel, for the record, this is a transcript dated November 17th,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Tone officer"; is that correct? A. Yes, that is correct. Q. At the bottom next to your signature? A. Yes. Q. And then can you tell me who the tour commander is there at the bottom? A. No, I cannot. Q. And then at the top in Box 13, you will see the time of the occurrence. I believe it says 1610 to 1615. A. Yes. Q. So 4:10 to 4:15. So what does that signify? Is when you observed or when you entered the bathroom or and what happened at 4:15? Is that when the arrest was made or when they were taken to precinct, or is that how long you observed the conduct? I'm just curious for my own benefit. A. Well, without reviewing the document, that time could be from the initial observation. Q. To what? A. To when it was ended.